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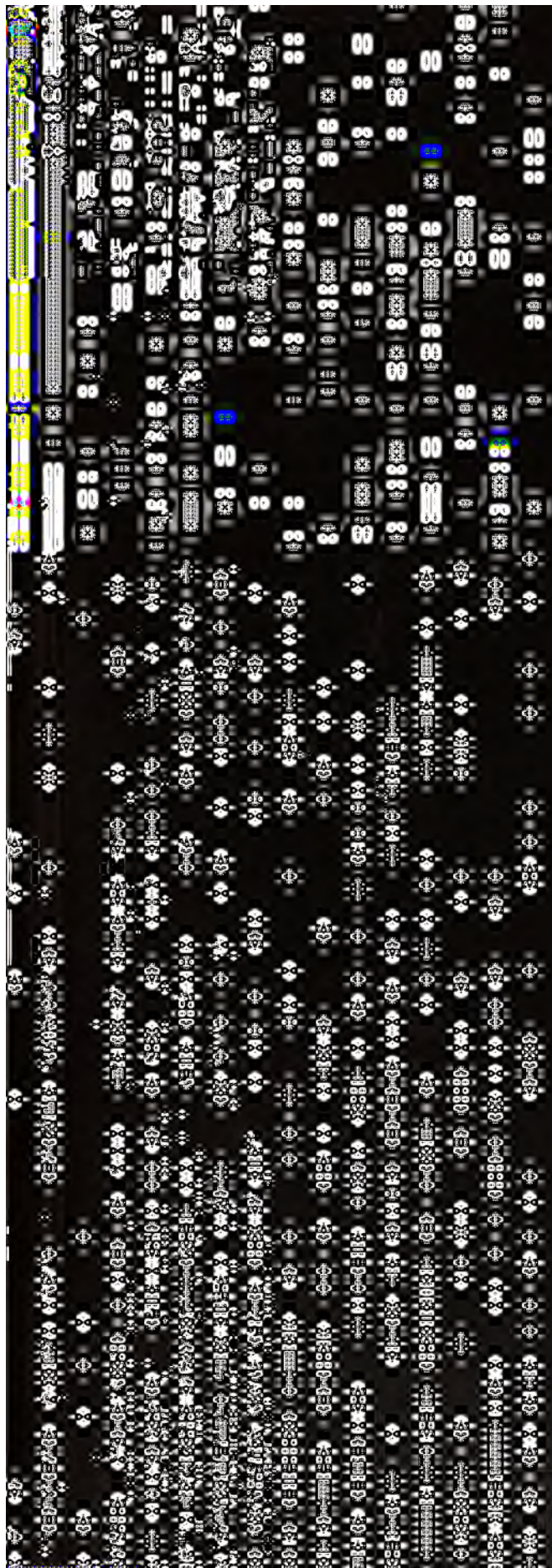
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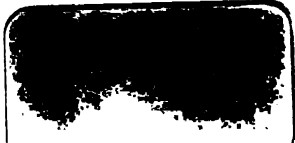
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ISLAND

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ASSEMBLY.

DEPT,

PRINTERS.



P R E F A C E.

THIRTEEN years of the annals of Rhode Island are included in this volume ; i. e. from the year 1757, to the year 1769, both inclusive. The struggle between Great Britain and France for the ascendancy in North America, the beginning of which was narrated in the previous volume of these records, is continued in this ; indeed, the history of, and correspondence connected with, this important event, constitutes the larger portion of its matter. In the campaigns against the French, on the northern frontier, the troops of Rhode Island took an active part, as the correspondence of the principal actors in these events, will show. The letters of General Lord Amherst, General Abercrombie, Lord Loudoun, Admirals Colville, Durell, the Commissioners of Trade and Foreign Plantations, William Pitt, the Earls of Hillsborough and Egremont, etc., etc., are quite numerous in the volume. Among other topics of interest to which it has reference, are the campaigns against Canada, and the French fortresses at Fort William Henry, Ticonderoga, Oswego, Niagara, etc.

The particulars connected with the convention of British colonies at New York, in the year 1765, in which Rhode Island took part, with the instructions from the respective

colonies to their commissioners; the resolutions passed; the report of the convention; together with the memorials to the King, and Houses of Lords and Commons,—will be found at length in this volume.

The important paper drawn up by Stephen Hopkins, by order of the General Assembly, in 1764, entitled “The Rights of the Colonies Examined,” is printed at length. This celebrated essay was printed in Providence, and afterwards re-printed in London, where it produced a sensation. The events connected with the passage of the famous stamp act, by the British Parliament, the resistance to which was but a foreshadowing of the more serious resistance which followed a few years later, also took place during the period included in this volume, and are duly recorded therein. The originals of nearly all the letters and documents published in this volume, are among the archives of the State.

J. R. B.

PROVIDENCE, January, 1861.

RHODE ISLAND RECORDS.

RHODE ISLAND RECORDS.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 10th day of January, 1757.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

Mr. James Honeyman,
Mr. Nicholas Easton,
Mr. Nicholas Cooke,
Mr. Obadiah Brown,
Mr. Robert Lawton,

Mr. Joseph Brownell, Jr.,
Mr. Jeremiah Lippitt,
Mr. William Richmond,
Mr. John Congdon,
Col. Thomas Hazard.

SECRETARY.

Mr. Thomas Ward.

GENERAL TREASURER.

Mr. Thomas Richardson.

ATTORNEY GENERAL.

Mr. Daniel Updike.

DEPUTIES.

Newport.

Lieut. Col. Benj. Wickham,
Mr. Thomas Cranston,
Mr. Peter Bours,
Capt. Joseph Wanton, Jr.,
Capt. Wm. Mumford,
Mr. William Read.

Providence.

Mr. Elisha Brown,
Mr. Nicholas Brown,
Mr. Henry Harris,
Mr. George Brown.

DEPUTIES.

Portsmouth.

Mr. Gideon Durfey,
Mr. Nathan Chace,
Mr. Francis Brayton.

Warwick.

Col. Benoni Waterman,
Mr. Daniel Greene,
Mr. Othniel Gorton,
Capt. James Greene.

Westerly.

Major Joshua Clarke,
Mr. Samuel Ward.

New Shoreham.

Mr. John Pain.
Mr. John Littlefield.

North Kingstown.

Mr. Thomas Allen,
Mr. Samuel Albro.

South Kingstown.

Mr. Jeremiah Niles,
Mr. Latham Clarke.

East Greenwich.

Mr. Joseph Nichols,
Mr. Thomas Casey.

Jamestown.

Capt. Wm. Haszard,
Mr. Edward Carr.

Smithfield.

Mr. Thomas Owens,
Capt. John Sayles, Jr.

Scituate.

Capt. Job Randall,
Mr. Charles Harris.

Glocester.

Capt. John Smith,
Mr. Richard Steere.

Charlestown.

Col. Christopher Champlin,
Mr. Gideon Hoxie.

West Greenwich.

Mr. Preserved Hall,
Mr. Samuel Dyer.

Coventry.

Mr. Caleb Greene,
Mr. Job Greene.

Exeter.

Capt. John Reynolds,
Capt. Simon Smith.

Middletown.

Mr. William Bailey,
Capt. William Turner.

Bristol.

Major Thomas Greene,
Mr. Nathaniel Fales.

Tiverton.

Mr. Thomas Howland,

Little Compton.

Mr. Thomas Church.
Mr. Thomas Brownell,

Warren.

Capt. Josiah Humphreys,
Capt. Benjamin Barton.

Cumberland.

Mr. John Dexter,
Capt. David Whipple.

DEPUTIES.

Richmond.

Capt. William Clarke, Jr.,
Capt. Peleg Thomas.

Cranston.

Mr. John Potter,
Mr. Christopher Waterman.

The Hon. Thomas Cranston, speaker, and Mr. Josias Lyndon, clerk.

Whereas, Samuel Thayer, who was apprehended and brought before this Assembly, at their last session, for grossly abusing them, has not yet made satisfaction for the same,—

Be it therefore resolved by this General Assembly, and by the authority thereof it is resolved, that the said Samuel Thayer be immediately apprehended, and committed to His Majesty's jail, in Providence, for his said abuse, and there remain confined, until further orders from this Assembly.

Whereas, there are divers copper plates in the hands of His Honor the Governor, and in the hands of the representatives of the late Deputy Governor Nichols, which have been heretofore used by the colony, for striking off bills of public credit; and also several false and counterfeit copper plates, which have been seized, and are now in the hands of some of the public officers of this government; all which said plates, are wholly useless in their present form,—

This Assembly therefore do vote and resolve, and it is voted and resolved, that Peter Bours, Esq., and Mr. William Read be, and they are hereby appointed a committee to receive from the persons, aforesaid, all and every of the said copper plates, and cause them to be defaced, and then delivered unto the general treasurer, who is hereby directed to make sale of the same, to the best advantage, for the use of the colony.

Whereas, the committee of war purchased a large quantity of pork, of Silas Gardner, some time last spring, as good and merchantable Rhode Island and Connecticut pork, for the use of the forces raised by this colony, for the Crown Point

expedition, which was not merchantable, but very bad Carolina pork, and unfit for use,—

This Assembly therefore do vote and resolve, and it is voted and resolved, that the committee of war be, and they are hereby, directed and fully empowered to demand of the said Silas Gardner, the damages that have accrued by the badness of said pork; and upon his neglecting or refusing to pay the same, to prosecute him in the law, in order to recover them.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the committee of war be, and they are hereby authorized and fully empowered to draw out of the old tenor part of the rate that is now collecting (when paid into the general treasury), a sum sufficient to pay off the forces that have been raised for the Crown Point expedition.

This Assembly do vote and resolve, and it is voted and resolved, that Nicholas Cooke, Jeremiah Lippitt, Peter Bours, George Brown and John Dexter, Esqs., be, and they are appointed a committee, to take into consideration His Excellency the Earl of Loudoun's letter; and to draw up a set of instructions to be given the commissioners that shall be appointed to wait on His Lordship, at the congress in Boston.

Whereas, information hath been made unto this Assembly, that John Wheaton and Daniel Beere, masters of two sloops from Warren, having been lately trading with the French, in direct violation of a law of this colony, made and passed by the General Assembly, at a session holden at Newport, on Monday, the 6th of September last, entitled "An act for prohibiting all trade and commerce with the French,"—

This Assembly therefore do vote and resolve, and it is voted and resolved, that Obadiah Brown, Esq., assistant, Daniel Jenckes, Esq., chief justice of the inferior court of common pleas, and general sessions of the peace, within and for the county of Providence; and Thomas Greene, Esq., one of the justices of the inferior court of common pleas, and general sessions of the peace, within and for the county of Bristol, be, and

they, or the major part of them, are hereby appointed a committee, with full power to act, and immediately put forth a warrant, directed to the sheriff of the county of Providence, commanding him to go forthwith and make diligent search for all persons concerned in the matter, aforesaid ; as also for the vessels employed therein, together with the goods imported by them ; and all when found, to seize and safely secure, until this whole affair shall be fully inquired into, and lawfully determined.

This Assembly do vote and resolve, and it is voted and resolved, that James Honeyman, Esq., Lieut. Col. Benjamin Wickham, Joseph Nichols, Esq., and Mr. Nicholas Brown, be, and they are hereby, constituted a committee to take into consideration a letter from the board of trade, to this colony, respecting the commerce and traffic carried on to the neutral ports, &c. ; and make report unto this Assembly, as soon as conveniently may be.

This Assembly do vote and resolve, and it is voted and resolved, that £200 be allowed and paid out of the general treasury unto Mr. George Hopkins, for his time, trouble and expense in going to and fetching from New York, the silver and gold, granted by His Majesty to this colony.

This Assembly do vote and resolve, and it is voted and resolved, that in case the method already prescribed for raising money, to pay what the colony owes to the estate of Hans Hansen, late of Albany, Esq., deceased, should fail, that then the committee of war be, and hereby are, directed to pay that debt, in the most frugal manner, and to the best advantage of the colony they can.

This Assembly do vote and resolve, and it is voted and resolved, that Mr. Giles Russel, be allowed and paid the sum of £38 per month, for acting as lieutenant from the date of his commission, besides adjutant's pay, in the late expedition against Crown Point.

An Act for reviving and lengthening the time of drawing the fortification lottery.

Whereas, the time for drawing the first class of the lottery opened and set up by the government, for raising a sum of money to carry on the building of Fort George, on Goat Island, in the township of Newport, hath elapsed, and the same remains yet undrawn,—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that the said lottery be, and it is hereby revived; and that the drawing of the said first class be postponed until Monday, the 21st of February next, when the same is hereby directed to be drawn; and that all the tickets, which, at that time, may remain unsold, shall be taken by the colony, provided they do not exceed one thousand in number,—including those that the general treasurer was, by the General Assembly, at their last session, directed to purchase upon the colony's account and risk.

And be it further enacted by the authority aforesaid, that if the first class of the lottery aforesaid, be not drawn upon the said 21st day of February, that the money received by the directors shall be restored unto the persons who purchased tickets, upon their returning the same.

Whereas, the major part of the committee that was appointed to audit the accounts charged against this colony, by Hans Hansen, late of Albany, Esq., deceased, having performed that service, reported as followeth, to wit:

Report of the Committee.

We, the subscribers, being appointed a committee, by the General Assembly, to audit the account of Hans Hansen, late of the city of Albany, Esq., deceased, have taken upon us the consideration of that affair, and finding the articles charged in said accounts well vouched,—in consequence thereof, report, that the balance struck in said account, is justly due to the representatives of the said Hans Hansen.

OBADIAH BROWN,

LATHAM CLARKE,

THOS. GREENE,

ELISHA BROWN.

Providence, January 10, 1757.

And this Assembly, having taken said report into consideration,—

Do vote and resolve, and it is voted and resolved, that the same be, and hereby is accepted ; and that the balance of the aforesaid accounts, being £739 16s. 3d., New York currency, be paid the executor of the aforesaid Hans Hansen, out of the general treasury.

Whereas, the gentlemen that were appointed to take His Excellency the Earl of Loudoun's letter into consideration, and draw up some instructions to be given the committee that shall be by this Assembly appointed to wait on His Lordship, at the approaching congress, in Boston, having performed that service, made the following report:

Report of the Committee concerning Commissioners to meet Lord Loudoun, in Boston.

We, the subscribers, being appointed by the Honorable General Assembly, a committee to take into consideration Lord Loudoun's letter, and to draw up some instructions for the government of such commissioners as shall be appointed to wait on His Lordship, at the congress, report :

1. That three commissioners wait on His Lordship.
2. That they join the commissioners from the other governments, and desire His Lordship to inform them what number of men and warlike stores he will want to execute his plan.
3. That they represent to His Lordship a true state of this colony's circumstances and abilities, and to know of him what proportion of men to the whole, His Lordship expects from this colony.
4. That they agree, in behalf of this colony, to furnish His Lordship with such an aid or number of men, as they judge this colony can afford under its present circumstances, and the nature of the expedition may require.

JEREMIAH LIPPITT,

By order, and in behalf of the committee.

And now, this Assembly having taken the said report into consideration, and duly examined it,—

Do vote and resolve, and it is voted and resolved, that the same be, and is hereby accepted.

This Assembly do vote and resolve, and it is voted and resolved, that the articles following be, and they are hereby, made instructions to the gentlemen who shall be appointed commissioners on the part of this colony, to wait upon His Excellency the Earl of Loudoun, at the congress of the Governors and commissioners of the New England colonies, to be holden at Boston, on the 13th day of this instant January :

Instructions to the Rhode Island Commissioners to the Congress at Boston.

1. You are to proceed to Boston immediately ; and upon your arrival, to wait upon His Excellency Lord Loudoun, and join the Governors and commissioners that may be there, from the other governments, at the congress.

2. You are to lay an exact state of this colony, before His Excellency, as to its fortification, cannon, warlike and military stores ; the number of inhabitants, the state of the treasury, and funds for supplying it.

3. That you beg His Lordship to lay the defenceless condition of this colony before His Majesty, in the most favorable light.

4. That you pray His Lordship to afford the colony such an allowance for the provisions and warlike stores furnished by us to the provincial forces the year past, as may be agreeable to His Majesty's gracious intentions, signified to us by his secretary of state.

Whereas, Walter Chaloner, of Newport, in the county of Newport, gentleman, hath sustained several commissions in this colony ; and more especially one in His Majesty's American regiment, in the expedition against Carthagena, to which he was appointed by this government, and hath in all acquitted himself to their satisfaction ; on consideration whereof,—

This Assembly do vote and resolve, and it is voted and resolved, that the commissioners that shall be appointed to wait upon His Excellency the Earl of Loudoun, at the ensuing congress in Boston, be, and they are hereby, directed to recommend the said Walter Chalonier to His Lordship, as a gentleman that may deserve his favor.

This Assembly do vote and resolve, and it is voted and resolved, that His Honor the Governor be, and he hereby is, requested to furnish the commissioners that shall be appointed to wait upon His Excellency the Earl of Loudoun, with all such papers and accounts as His Honor shall think necessary to be laid before His Lordship, or cause the same to be done in such a manner as he shall think proper.

An Act for prohibiting the exportation of provisions from any port or place within this colony, to any Dutch or neutral ports.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that from and after the publication of this act, the collector of His Majesty's customs in the port of Newport, clear out no ship or vessel until the master thereof enter into bonds, with two sureties inhabiting within this colony, and of sufficient abilities, unto the said collector, in his said capacity, to the value of £1,000 sterling, if the said ship or vessel be of less burthen than one hundred tons, and of £2,000, sterling, if above that burthen ; that the cargo of said ship or vessel (the particulars of which shall be expressed in the bonds), shall not be landed in any other port or place than such as belongs to His Majesty, or is in possession of His Majesty's subjects ; and that they will, within twelve months after the date thereof, (the danger of the seas excepted), produce certificates, under the hands and seals of the principal officers of the customs of such port or place, for which such ship or vessel cleared out, or some other English port, that the said cargo, expressing the particulars thereof, hath actually been landed there ; and when there shall be cause to suspect that such certificates are false or counterfeit, the said collector shall

not cancel or vacate said bonds till he make further inquiry, and receive good information from the said principal officers of the customs, that the matter and contents thereof are just and true.

And in case the master or owners of such ship or vessel not shall produce the said certificates within the time limited, the said collector shall put in suit and prosecute such bonds; and the collector is hereby further ordered and directed, not to receive any person as surety for another, who hath bonds standing out undischarged, unless he be esteemed responsible for more than the value of such bond.

And be it further enacted by the authority aforesaid, that if any master or owner, or any ship or vessel, shall wittingly or willingly suffer any collusive capture to be made of such cargos, aforesaid, he shall forfeit all his or their real and personal estates to, and for the use of His Majesty, upon conviction thereof, in any of His Majesty's courts of record in this colony.

And be it further enacted by the authority aforesaid, that no ship or vessel shall be cleared out to any port or place that is not subject to His Majesty, unless the master of such ship or vessel shall make oath or affirmation before some one assistant, or one of the judges of the superior or inferior courts, that he hath not on board, and that he neither will take on board, nor suffer to be taken on board his ship, or vessel, any other or greater share or quantity of provisions than will be necessary for himself and his mariners during his intended voyage; a particular account of which quantity of provisions shall be sworn or affirmed to, and a certificate thereof from such officer, be received by the said collector; any law, custom, or usage to the contrary hereof, in any wise, notwithstanding.

This Assembly do vote and resolve, and it is voted and resolved, that Col. Benjamin Wickham and Mr. Elisha Brown, be, and they are, and each of them is, hereby appointed a committee, to inquire where a suitable vessel may be either bought or hired, to be made use of for the defence of the colony, and make report unto this Assembly at their next session.

This Assembly do vote and resolve, and it is voted and resolved, that Mr. Jos. Sheldon be, and he hereby is, appointed to finish the pest houses in Providence, at the charge of the colony.

This Assembly do vote and resolve, and it is voted and resolved, that George Brown, Esq. and Mr. Samuel Ward be, and they are hereby, appointed a committee to prepare a bill to prevent soldiers, servants, apprentices, and so forth, being carried off to sea, and present the same unto this Assembly, at their next session.

This Assembly do vote and resolve, and it is voted and resolved, that Messrs. George Brown and Nicholas Brown be, and they are hereby, appointed a committee to inspect all the laws of this colony, prohibiting the exportation of provisions out of the same; and compare them with the acts made and passed this session, and make report unto this Assembly, at their next session.

This Assembly do vote and resolve, and it is voted and resolved, that The Honorable the Speaker of the lower house, Peter Bours, and James Sheffield, Esqs., be, and they, or the major part of them, are hereby appointed a committee to receive of the general treasurer, all the bills of public credit emitted by this colony, called Crown Point bills, which he hath taken, or may receive in exchange for their silver and gold deposited in his hands, for that purpose, and burn the same from time to time, as he shall think proper.

Both houses being resolved into a grand committee, chose and appointed His Honor the Governor, James Honeyman and George Brown, Esqs., commissioners on the part of this colony, to wait upon His Excellency the Earl of Loudoun, at the approaching congress, in Boston.

This Assembly do vote and resolve, and it is voted and resolved, that The Honorable the Speaker of the lower house, and Peter Bours, Esq., be, and they are hereby, appointed to wait on Capt. Peter Harrison, and render him the thanks of this government for all favors they have received from him; and in particular, for the two plans of the fort; and to request him to lend another of the said plans unto the commissioners,

appointed to wait on His Excellency the Earl of Loudoun, at the congress in Boston.

This Assembly having duly considered, do approve the draught that hath been made and presented unto them for the form of a commission to be issued unto His Honor the Governor, James Honeyman and George Brown, Esqs., whom this Assembly have chosen and appointed to wait upon His Excellency the Earl of Loudoun.

Whereas, Thomas Ninegret and several others, being part of the tribe of Indians living in Charlestown, preferred a petition and represented unto this Assembly, that the said town of Charlestown, at a late quarter meeting, where but a small number of freemen were present, passed a vote obliging the said Indians to pay a part of the said town's proportion of the colony rate, which at this time is collecting; and accordingly the rate makers have assessed them, and all the other Indians of the said town; which being unusual, and, as they apprehend, a grievance, especially as they support their own poor without putting the town to any expense; wherefore, they prayed to be relieved in such a way as may be thought proper; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof, it is enacted, that the tribe of Indians, aforesaid, be, and they are hereby, exempted from paying any share or part of the rate or tax, aforesaid; and that the rate makers of the said town of Charlestown, be, and they hereby are, directed and required to assess that part of the said town's proportion upon the white inhabitants, that hath already been assessed upon the Indians of the said town.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 28th day of January, 1757.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, Samuel Thayer, who was apprehended and brought before this Assembly, at their session in November last, for grossly abusing them, has not yet made satisfaction for the same ;—

This Assembly therefore do vote and resolve, and it is voted and resolved, that the said Sam'l Thayer be immediately apprehended, by a warrant from the secretary, and committed to His Majesty's jail, in Providence, there to remain, and be confined for his said abuse, until further orders from this Assembly.

Whereas, the gentlemen that were appointed a committee to make the draught of an answer to the letter sent this Assembly, by His Honor the Governor, from the congress, at Boston have performed that service, and laid the same before this Assembly ; who having duly considered it,—

Do vote and resolve, and it is voted and resolved, that the said draught be, and is hereby approved ; and that a fair copy be thereof made, in order to its being signed by His Honor the Deputy Governor, and sent to Boston.

God save the King.

Lord Loudoun to the Governor and Company of Rhode Island.

Boston, Saturday, 29th January, 1757.

Gentlemen :—You must be very sensible that the measures taken the last year, for the preservation of His Majesty's dominions and colonies upon this continent, and for the annoyance of His Majesty's enemies, have proved ineffectual ; and instead of removing the French from any of their encroachments, we have suffered them to make considerable advances upon us.

I shall put you in mind of some of the proceedings, to which, I apprehend, your misfortunes may be, in a great measure, attributed.

When I left London, which was on the 17th of May, the ministry had received no intelligence of the determination of any of the governments to prosecute an expedition against Crown Point; although this determination had been made by the Massachusetts, the 16th of February; and I cannot account for this neglect in those whose duty it was to have given the earliest advice that might be. The want of this advice, rendered it impossible for me to receive any order with immediate relation to your resolutions.

Upon my arrival at Albany, I found that your forces fell very much short of the number you had agreed to raise, and which you thought necessary for the service; and from the best information I could get, the troops in general were not equal to those which you always had employed on former occasions. I could not, therefore, think it advisable for them to proceed, without the assistance of part of His Majesty's regular troops.

I met with unexpected difficulties, and was much retarded in settling the connection between the regulars and the provincials; and before it could be fully effected, and any proceedings had in consequence of it, I received the news of the surrender of the forts and garrison at Oswego, and all His Majesty's possessions upon the lakes, to the French.

The true state and circumstances of these forts and garrisons, were never represented to me by my predecessors. I had good reason to think that the enemy, flushed with success, would make an attack upon the provincial forces. I immediately wrote to the several governors, and demanded an aid, suitable to the state of their affairs; what success I had, you very well know. There was in some of you a profession of readiness to afford assistance, and the show and appearance of it in the votes of your Assembly; but it turned out, in fact, that the attempts to carry those votes into execution, were defeated and proved ineffectual.

Some time after I had applied to the several governments for aid, it pleased God that the recruits from London and the Highlands arrived, and I was able to collect a greater number of the recruits raised for the royal American regiment, than I had any hopes of being able to collect at that season of the year; all which I immediately joined to the regular troops; and as many of them as could be spared, I marched for the strengthening and for the security of the provincial forces.

I have since received certain intelligence that I was not mistaken in my apprehensions of the designs of the French; and that it was the accounts which they received from their scouts and spies, of the actual march of the regulars, the number of which was reported to be greater than it really was, which diverted them from the resolutions which they had formed; what the event of such an attack would have been, God only knows. I was extremely anxious about it, and I have the greatest reason to think, that if it had been made upon the provincials alone, it would have been followed with very fatal consequences.

Your forces, after this, by sickness or desertion, or both, were daily diminished; the season was so far advanced that I had no further thoughts of any offensive measures against the enemy, and I determined that as soon as they withdrew, the provincials should be dismissed; and that the charge which the several governments were at for their pay, should cease as soon as possible.

This has been the state and progress of your affairs the year past; I hope, gentlemen, that under the guidance and blessing of Divine Providence, the plan of operation for another year will be better prosecuted.

I have desired a meeting of your several governments, by their governors and commissioners, at this time, in order to their determining what number of men they will raise, to be employed in conjunction with His Majesty's regular forces, the ensuing year.

Considering the vast expense of supporting so large a number of troops as are employed by His Majesty, for the protection of his colonies, the burthen whereof you bear no part in, you cannot think much of contributing so small a proportion towards your own defence, as I now require of you; for could I be assured of four thousand good, effective men, to be raised by the four governments of New England, in such proportion as you shall settle amongst yourselves, I would not urge you to go beyond that number.

I must recommend to you the giving better encouragement to your officers, than you have formerly done, which may be an inducement to persons who shall be equal to their posts, and who will preserve order and discipline, to engage in the service; and I think if some part of your mens' pay were converted into a fund to assist in giving them necessary clothing, it would be of great use.

The particular place or service in which I must employ these forces, it is not in my power to communicate to you. I wait for answers to my letters gone to England, before I can fully determine upon it myself; but if you were to wait until I receive them, before you proceed to raise the men, it would be too late to do it for the service of this year.

Besides, gentlemen, great inconvenience must arise from making my design public; and I know of no advantage which can accrue from it. The confining your men to any particular service, appears to me to be a preposterous measure. Our affairs are not in a situation to make it reasonable for any colony to be influenced by its particular interest. The question is in what way and manner the whole may be secured, and the common enemy of all most effectually annoyed. This is the point I must keep in view, and no consideration will prevail with me to depart from it.

You may depend upon my treating your men with all that tenderness and indulgence which will consist with necessary order and discipline; and that I will employ them, whenever there shall be room for it, in such services as shall be most suitable to their genius, and the way and manner of fighting to which they have been used; and that they shall be discharged, at furthest, at the expiration of the term for which they are raised; and as much sooner as the service will admit. But to engage that I will employ them in this or that particular place only, it is what I cannot do upon any terms; for I think it would be sure to be more prejudicial to the public than the whole benefit which we may expect from the provincial forces would countervail.

I do not thus express myself to you, gentlemen, because I think it a matter of but little consequence whether you afford me aid or not. No, I think it of such moment, that you would never be able to atone for a refusal. I hope, therefore, you will spare no time upon this point; but will, without delay, determine upon a compliance with my proposal to you, that so we may begin our preparations this year earlier than we have ever done before.

I ever am, with great regard, gentlemen,

Your most obedient, humble servant,

LOUDOUN.

To the Governor and Company of Rhode Island,

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 1st day in February, 1757.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, Edward Scott, Esq., Messrs. Joseph Jacob, Daniel Ayrault, and others, preferred a petition and represented unto this Assembly, that they have lent the colony several sums of money, when the government hath been under great necessity thereof; that they have taken the general treasurer's bonds for the same, most of which are now due; but they cannot obtain either principal or interest; that they look upon this as a very great hardship, especially as bills of credit have greatly depreciated since they parted with their money, and so forth; and upon the whole, prayed, that, as it is not in the treasurer's power to pay them, at this juncture, the sums due to them, respectively, may be settled, and the money stated at the real value it bore when they supplied the colony; that the treasurer may be directed to renew his bonds accordingly; and that upon a compliance with these terms, they will be content with interest, at and after the rate of six per cent. per annum; on consideration whereof,—

This Assembly do vote and resolve, and it is voted and resolved, that the general treasurer be, and he hereby is, directed to pay the petitioners their respective debts as soon as monies come into his hands.

Whereas, Mr. William Read exhibited unto this Assembly, an account charged against the colony, for work done by himself and servants at Fort George, for sundry disbursements in furnishing materials to carry on said work, for his commissions, and so forth; and this Assembly having taken said account into consideration, and duly examined it,—

Do vote and resolve, and it is voted and resolved, that £2,032 2s. 8d., of the balance, as stated by the said William Read, be allowed and paid him out of the general treasury; the commissions by him charged having been deducted at the time said allowance was made.

This Assembly do vote and resolve, and it is voted and resolved, that Stephen Rawson be, and he is hereby, chosen lieutenant of the first company or trained band, in the town of Providence, in the room of William Donnison, who is gone to sea; and Knight Dexter, ensign of said company, in the room of Mr. Rawson, advanced as above.

This Assembly do vote and resolve, and it is voted and resolved, that the magistrates and deputies shall have an allowance made them for their extraordinary services in attending on the General Assembly since last October, and unto the end of this present session; that is to say: each magistrate shall be allowed six shillings lawful money, per day, out of the general treasury: and each deputy the sum of five shillings of the like money, per day, to be paid him by the town that he represents; and that the secretary and clerk of the lower house, make out tickets accordingly.

Protest.

We, the subscribers, dissent from the annexed vote, for the following reasons:

1. Because the government is greatly in debt.
2. For there is a great dispute in many towns for their deputies; and that there are enough willing to go without pay.
3. That there was but one more than a quorum in the house, when said vote was passed; so that on the whole, we are of opinion that the same ought not to pass as a general act.

ELISHA BROWN,
THOMAS OWEN.

Whereas, this Assembly have been informed that several

of the soldiers that went in the late expedition against Crown Point, have behaved very badly ; some having sold, and others retained the colony's arms ;—

It is therefore voted and resolved, that the deputies of each respective town in this colony be, and they are hereby appointed and fully empowered to inquire into that affair ; to seize all small arms that they shall suspect to belong unto the colony ; to examine all persons in whose hands they shall be found ; how they came by them, and return their names unto the General Assembly ; and also to take up and secure all soldiers who have sold or detained any of the colony's arms.

Whereas, information hath been made by the oath of Daniel Wall, that John Wheaton, of Warren, hath greatly abused and threatened the members of this Assembly ;—

It is therefore voted and resolved, that the said John Wheaton be immediately apprehended by a warrant, to be issued by the secretary, and directed to the sheriff of the county of Providence ; and that the said John Wheaton be brought before this Assembly, and held to answer for his said misdemeanor.

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war and commissary, lay all their accounts, since the last audit, before the General Assembly, at their next session.

This Assembly do vote and resolve, and it is voted and resolved, that the sloop in which John Wheaton lately came from sea, and the goods that were brought therein, which were seized by the sheriff of the county of Providence, be discharged.

Whereas, His Honor the Governor, James Honeyman and George Brown, Esqs., who were appointed by the General Assembly to wait on His Excellency the Earl of Loudoun, at the congress in Boston, having performed that service, presented this Assembly with a report of their conduct on that occasion ; which being read and duly considered,—

It is voted and resolved, that their said report be, and the same is hereby accepted.

This Assembly do vote and resolve, and it is voted and resolved, that His Honor the Governor be, and he hereby is, requested to give the commissary orders to prepare the accounts of provisions and transportation furnished by this colony, in the last expedition against Crown Point, that the same may be presented unto Mr. Kilby, agent victualler, in order for payment.

This Assembly do vote, resolve, and declare, and it is voted resolved and declared, that it is the true intent and meaning of the charter which was granted unto this colony, by King Charles the Second, on the 8th day of July, 1663, that notwithstanding it is necessary there should be seven members of the upper house present to make a quorum for doing public business, yet the Governor, Deputy Governor, or any one or more of the assistants, have, and always had power to adjourn that house from day to day, until there should appear a number sufficient for doing business; and for exacting a strict attendance of the members of the upper house,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that from and after the publication of this act, every member of said house, who shall not give his personal attendance on the first day that now is, or may hereafter be appointed for opening and holding any future session of the General Assembly, shall forfeit and pay as a fine, the sum of £10, old tenor, to be disposed of for the colony's use, unless he is able to make a satisfactory excuse for his absence.

Whereas, the General Assembly, at a session begun and holden at Newport, within and for the colony, aforesaid, on the third Tuesday of June, 1728, made and passed "An act for the preservation of deer in this colony," and thereby imposed a fine of £6 upon every person that should be guilty of breaking said act; which fine hath been found insufficient, since the depreciation of the paper currency;—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that from and after the publication of this act, the fine of all such as shall transgress or

violate the law, or act aforesaid, be, and hereby is, augmented to £4, lawful money.

Whereas, the sheriff of the county of Providence hath returned the precept issued by the secretary against John Wheaton, of Warren, for abusing this Assembly greatly, and threatening the members thereof; and the said John Wheaton is not to be found within his precinct;—

It is therefore voted and resolved, that a new warrant be given out by the secretary, and directed to the sheriff of the county of Bristol, or his deputy, requiring him to apprehend the said John Wheaton, and bring him before this Assembly, at their next session.

This Assembly do vote and resolve, and it is voted and resolved, that Messrs. John Cole and Nich. Brown, of Providence, be, and they are hereby, appointed a committee to audit the accounts of Capt. Joseph Olney, and all other accounts of charges relating to the soldiers of Shirley's and Pepperell's regiment, who lately passed through Providence, and make report unto this Assembly at their next session.

This Assembly do vote and resolve, and it is voted and resolved, that a sloop of war, not exceeding the burthen of one hundred and twenty tons, be built and completed, to guard the coast of this colony; and that a committee be appointed for that purpose.

An Act for raising, clothing and paying four hundred and fifty able bodied, effective men, for the ensuing campaign against His Majesty's enemies in North American.

Whereas, His Excellency the Earl of Loudoun, commander in chief of all His Majesty's forces in North America, hath demanded of this colony an aid of four hundred and fifty able bodied, effective men, to be employed in His Majesty's service, for, and during the ensuing campaign, in North America;—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that four hundred and fifty able bodied effective men, including officers, be forthwith

raised in this colony, to be employed in His Majesty's service, under the immediate command and direction of His Excellency the Earl of Loudoun, for, and during a term of time, not exceeding one year; and that they be formed into five companies; for every one of which, shall be appointed one captain, two lieutenants, and one ensign; and the whole to be commanded by one other officer, to be appointed by this Assembly.

And be it further enacted by the authority aforesaid, that there be one surgeon appointed for the said five companies, with an allowance of £180, old tenor, for his monthly pay; and also, that the officers shall be paid in bills of public credit, of the old tenor, as follows, viz.:

Each captain, £140; each first lieutenant, £100; each second lieutenant, £90; and each ensign, £80 per month; and that each enlisting officer shall be allowed forty shillings for every able bodied effective man he shall enlist.

And for the more easy and expeditious raising said men,—

Be it further enacted by the authority aforesaid, that every able bodied effective man, who shall voluntarily enlist, shall receive a bounty of £30, old tenor, and a good blanket, at the time of his enlisting; and be paid £25, old tenor, per month, during the time he continues in this service; and also shall be entitled to the same privileges, benefits and immunities that were given or granted to the soldiers raised for the first expedition against Crown Point; and that every apprentice, upon enlisting, shall receive the whole bounty and half the wages due at his return; and the master shall receive the other half.

And the wages of the non-commissioned officers shall be augmented in the same proportion with those of the common soldiers; provided, that no commissioned officer be exempted from an arrest by any writ, or process, whether original or judicial; but shall be liable to both, as if he had never entered into the service.

And be it further enacted by the authority aforesaid, that the committee of war be, and they hereby, are directed and fully empowered to draw out of the general treasury, so much money as will be necessary for the enlisting officers that may be appointed by the General Assembly, to pay the bounty ; and also to pay the advance wages to the soldiers ; and to do every requisite on the part of the colony, relative to this expedition.

Provided, that the said committee of war shall not advance to any soldier more than one month's pay, until he is clothed as follows, viz. : with three good shirts, two pair of good stockings, two pair of good shoes, one good watch-coat, and other clothes, that are sound and whole.

And be it further enacted by the authority aforesaid, that Lieutenant Colonel Benjamin Wickham, Lieutenant Colonel John Andrews, Col. William Pendleton, Col. Benoni Waterman, and Major Thomas Greene, be, and they are hereby appointed muster masters, in the several counties ; and are directed and fully empowered to reject all persons that they shall judge not effective, and unsuitable for the service ; and also to examine and take care that each soldier be clothed as above directed ; and in case any of the soldiers be not so clothed, the respective muster masters shall certify unto the committee of war what clothes each man wants ; and said committee is hereby directed to supply him with every thing necessary to complete his clothing, in the cheapest manner ; and for that purpose, make use of as many of the clothes now belonging to the colony, as they can ; and that the expense of the clothing be charged to each soldier's account, and deducted from his wages when they afterwards become due.

And be it further enacted by the authority, aforesaid, that His Honor the Governor, commissionate all officers that shall be appointed in consequence of this act, and issue orders for marching the troops in such manner and at such times, as His Excellency the Earl of Loudoun, may request.

And in order to supply the treasury with money to defray

the expenses that shall or may accrue to, or fall upon this colony, with regard to what they have undertaken for His Majesty's service in the ensuing campaign,—

Be it further, enacted by the authority aforesaid, that the general treasurer be, and he hereby is, directed and fully empowered to hire upon the best terms he can, the sum of £60,000, old tenor, on the colony's credit, for the space of six months; and that a suitable committee be appointed to assist him in doing the same.

And for re-paying the said sum of £60,000, and to answer the purposes of government,—

Be it further enacted by the authority aforesaid, that a rate or tax, of £100,000, old tenor, be assessed upon the inhabitants of this colony, to be levied, collected, and brought into the general treasury, on or before the last day of December next.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that in case it shall so happen that the four hundred and fifty men demanded of this government, by His Excellency the Earl of Loudoun, and now ordered to be raised, should not be made up, and completed before the next session of this Assembly, the deficiency shall be proportioned unto the several towns in this colony, so that the number demanded, may be ready to march at the time His Lordship hath appointed, that every inhabitant who enlisteth, shall be deemed and taken to be one of the numbers which the town he belongs to is obliged to furnish; that every transient person who may be enlisted, shall be taken and deemed to be one of the number that the town, where he enlists, ought to supply; and that an enlisting officer be appointed in every town, where an officer to go in the expedition shall not be chosen.

Both houses being resolved into a grand committee, chose officers to command the troops ordered to be raised for the ensuing campaign, as followeth, to wit:

Samuel Angel, Esq., chief officer.

Captains.

Capt. George Gardner, Jr., of the first company.
 Capt. John Potter, Jr., " second "
 Capt. John Whiting, " third "
 Capt. Jeremiah Greene, " fourth "
 Mr. Daniel Hall, " fifth "

First Lieutenants.

Mr. Christopher Hargill, of the first company.
 Mr. Elkanah Spear, " second "
 Mr. James Tew, Jr., " third "
 Mr. Giles Russell, " fourth "
 Mr. Nathaniel Peck, " fifth "

Second Lieutenants.

Mr. Isaac Wilbore, Jr., of the first company.
 Mr. Mark Noble, second "
 Mr. George Shearman, third "
 Mr. Samuel Hearn, fourth "
 Mr. Edward Talbee, fifth "

Ensigns.

Mr. Israel Peck, of the first company.
 Mr. Sam'l Saunders, " second "
 Mr. Amos Whiting, " third "
 Mr. Jeof Wilcox, Jr., " fourth "
 Mr. Abel Gibbs, " fifth "
 Mr. Christopher Nichols, surgeon's mate.

The gentlemen, whose names are set down in the following list, were chosen enlisting officers for the several towns in which no commissioned officer hath been appointed:

Portsmouth—Capt. Benjamin Cornell.
 Warwick—Capt. James Arnold, Jr.
 South Kingstown—Mr. Nathaniel Helme.
 Jamestown—Capt. Samuel Slocum.
 Scituate—Capt. Christopher Ralph.
 Gloucester—Capt. Israel Sayles.

West Greenwich—Capt. Clarke Rogers.

Tiverton—Capt. Isaac Manchester.

Richmond—Capt. Nicholas Larkin.

This Assembly do vote and resolve, and it is voted and resolved, that Obadiah Brown, Esq., George Brown, Esq., and Mr. Joseph Sheldon, be, and they are hereby, appointed a committee to build the sloop, by this Assembly ordered to be built, for guarding the coast of this colony; and that they charge nothing for their time and trouble.

This Assembly do vote and resolve, and it is voted and resolved, that Mr. William Read be allowed interest at the rate of ten per cent. per annum, for the money due to him from the colony, upon the balance of his account of charges for carrying on the fortification upon Goat Island, in the township of Newport; the computation whereof, to commence the 8th of May last.

This Assembly do vote and resolve, and it is voted and resolved, that the secretary be, and he is hereby, directed to send, within ten days after the rising of this Assembly, a copy of the act for taking a true account of the value of all ratable estates and the number of ratable polls within this colony, unto the persons appointed to perform said service; that is to say, a copy unto each and every town.

This Assembly do vote and resolve, and it is voted and resolved, that the present committee of war, be, and they hereby are, continued unto the next session of the General Assembly, with the same power and authority, that they heretofore have had; and that, for all business by them in the mean time done, they be allowed and paid what the General Assembly shall think proper to allow; and His Honor the Governor is hereby requested to put out a proclamation agreeably with the act for raising the four hundred and fifty men demanded of the colony, by His Excellency the Earl of Loudoun.

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war be, and they hereby are, ap.

pointed to assist the general treasurer in procuring the money he is directed to hire for the use of the colony.

God save the King.

The Rhode Island Commissioners at the Congress, in Boston, to Governor Hopkins.

Boston, February 3, 1757.

Sir:—Upon our coming to Boston, we have flattered ourselves we should soon have been able to have given The Honorable Assembly a satisfactory account of the execution of the trust with which we were charged; but, by daily experience, found that our hopes and expectations were not well founded; and after having spent a whole week in idleness, the Connecticut commissioners were pleased to come in.

Immediately on which, the commissioners of the several governments were directed to attend on the Earl of Loudoun, to receive His Lordship's demand, respecting the raising men in the several governments, a copy whereof comes accompanied with this; since which, we have suffered no opportunity to slip to bring the matter to its desired issue.

In order to which, we have laid before the other commissioners, our instructions; at the same time, insisted upon having their authority.

The first province, although their General Court was here in being, did not, nor would not, till Tuesday last, give their commissioners any authority. The colony of Connecticut produced theirs, and is nearly similar to that given to us. The province of the New Hampshire sent none; indeed, a gentleman appeared by a warrant from the Governor of that province, to represent him, on account of his inability to attend as Governor; but had no authority from the government to stipulate or agree for any proportion of men; thus the matters stand, with regard to the several commissions.

We have, in order to come at the just proportion of men, laid before the commissioners the honest numbers of our inhabitants; and likewise insisted on their producing the returns of their numbers, but all to no purpose. The commissioners of the province told us, that returns were made and delivered to Gov. Shirley, but they were lost or mislaid, and could not be found. Those of Connecticut made answer, that it was through great forgetfulness, they left theirs at home. The person representing the Governor of New Hampshire, made the like excuse; so that from this conduct, it will be no hard matter to determine the inequality of any agreement or stipulation for the proportion of men.

We have laid before the Earl of Loudoun, our readiness in behalf of our colony, to raise our proportion of men, when compared with the inhabitants of the other colonies. The commissioners of the Province proposed to raise, as their proportion, seventeen hundred and fifty men; the colony of Connecticut, twelve hundred and fifty; the representative of the Governor of New Hampshire, told us that he could not agree to any proportion; but would report to his government, as his opinion, that one-eighth part as many as the proportion of the Massachusetts, ought to be

their proportion ; so that it is not probable any agreement will be entered into by the commissioners.

As there seems to be no prospect of any agreement arising from the above unreasonable proposals, we design to set out for Providence, where we hope the General Assembly will be sitting, in order to make our report what further may be offered. We have drawn our report respecting the raising of our proportion, which we propose to lay before My Lord Loudoun, in the morning ; in doing which, we have been under the greatest difficulties, by reason of the other governments not producing any returns of their inhabitants. We have done every thing in our power to bring this affair to a happy issue ; but all our attempts have as yet, proved ineffectual.

The Assembly of the colony of Connecticut, knowing the whole number of men that were to be raised, determined their proportion as above, and limited their commissioners by private instructions, to the above number ; which was kept as a secret till this day ; which if we had known, should not have, spent so much time, in endeavoring the settlement of an equal proportion.

We have reason to fear that the disagreement of the commissioners will be productive of fatal consequences ; the limiting of the power of the Connecticut commissioners having greatly contributed thereto. We hope you will pardon the incorrectness of this letter ; the reasons of which, shall at our first meeting be made known. In the mean time, We are, sir,

Yours, and the Honorable Assembly's most obedient and humble servant,
J. HONEYMAN,
G. BROWN.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 14th day of March, 1757.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, the General Assembly, at their session begun and holden at Providence, on Monday, the 10th of January last, appointed a committee to receive of the general treasurer all the bills of public credit emitted by this colony, called Crown Point bills, which he had taken, or might receive in exchange for the silver and gold deposited in his hands for that purpose, and burn the same from time to time, as they should think proper ; and the said committee having performed that service, made the following report, to wit :

Report of the Committee.

"We, the subscribers, being appointed a committee, by the General Assembly, to receive and burn all the Crown Point money that was paid into the treasury, in exchange for gold and silver, and treasurer's notes, do report:

That we have received of Thomas Richardson, Esq., £177, 006, 11s. 6d., of said Crown Point money, and have burnt the same.

As witness our hands, this 24th day of February, 1757.

THOMAS CRANSTON, JAMES SHEFFIELD.
PETER BOURS,

Signed for the committee for that purpose, by
T. CRANSTON."

Unto which report, the gentlemen subjoined the following account:

Colony, Dr. To our time and trouble, seven days, £63.
THOMAS CRANSTON, JAMES SHEFFIELD.
PETER BOURS,

And this Assembly having taken said report into consideration,—

Do vote and resolve, and it is voted and resolved, that the same be, and is hereby accepted; and that the account aforesaid be allowed; and £63, the amount thereof, be paid the said Thomas Cranston, Peter Bours and James Sheffield, out of the general treasury.

Whereas, there are sixty hogsheads of lime on board a sloop belonging to Samuel Chace, of Providence, Esq., designed for Halifax, in Nova Scotia, to be used upon His Majesty's fortifications there; but by reason of the late embargo, the said sloop cannot proceed on her voyage; yet, forasmuch as Mr. Lawrence, governor of that province, hath, by letter, requested His Honor our Governor, to permit the said sloop to sail for

Boston, with the said sixty hogsheads of lime, and engaged that care should be taken to send them from that port, to Halifax,—

This Assembly do vote and resolve, and it is voted and resolved, that His Honor the Governor, be, and he hereby is, desired to permit said sloop to sail, according to the request above mentioned.

An Act for dividing the town of Westerly, and thereof making two distinct townships; one, to retain the name of Westerly, and the other to be designated and known by the name of Hopkinton.

Whereas, a great number of the inhabitants of the northern part of the town of Westerly, preferred a petition, and represented unto this Assembly, that the said town being upwards of twenty miles in length, they are much aggrieved by reason many of them are obliged to travel some fifteen or sixteen miles, to get an instrument recorded; others, eighteen or twenty miles, when business calls them before the town council, or to attend at a court of justices,—the greater part of the public business being at this day transacted and done in the southern parts of said town; and thereupon prayed that the same may be divided; nature having cut it into two parts, by the large river, called and known by the name of Pawcatuck; and that they may be entitled to equal privileges with the other towns in this colony; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the said town of Westerly be, and the same is hereby, made and divided into two distinct and separate towns; and that such part thereof, as lieth to the southward of the aforesaid Pawcatuck river, shall still be, and remain a town, holding its ancient name of Westerly; and all the lands lying to the northward of said river, shall also be, and hereby is erected into and made a town, to be distinguished, called and known by the name of Hopkinton; and the inhabitants thereof shall have, hold and enjoy, all and singular, the liberties, privileges and immunities, that the other towns in

this colony are entitled to; New Shoreham and Jamestown, excepted.

And be it further enacted by the authority aforesaid, that the money due unto the town of Westerly, aforesaid, for the Cedar Swamp, shall be legally secured, both principal and interest, unto those that live on the south side of the aforesaid Pawcatuck river; and they, in return, shall be wholly and solely at the expense of defending said swamp; and the town of Hopkinton shall not be subject to any costs and charges on that account; that all the town debts (except such as may have lately accrued on account of the swamp,) shall be equally paid by the towns of Westerly and Hopkinton; and all such monies as were due to what, before this act, was the town of Westerly, shall be applied towards paying off said town's debts, except such as are due on account of the swamp.

And be it further enacted by the authority aforesaid, that all and every of the justices of the peace, that were chosen and appointed such for the town of Westerly, and who live in that part thereof, that is now made Hopkinton, be, and they hereby are, continued in their offices, with full power and ample authority, in every respect, as they had in consequence of their being chosen into and commissioned for said office; and that the eldest of them issue his warrant to call the freemen of the said town of Hopkinton to meet together at some convenient place within the same, in order to choose and appoint officers necessary for managing and conducting the prudential affairs of said town.

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Whereas, Ambrose Page, of Providence, in the county of Providence, preferred a petition, and represented unto this Assembly, that his father, William Page, of said Providence, made a free gift to the colony, of the lot of land on which the court house, of the county aforesaid, stands; which lot, together with another, whereon the jail in said Providence, was built, and other lands of the petitioner, in the same town, were subjected to an entail; that he hath been at great cost and expense to dock the same; and thereupon prayed, that as the

said docking, so carried on, was not solely for his own benefit, but that of the colony, also, some part of the cost and expense may be reimbursed and allowed him, out of the general treasury; on consideration whereof,—

This Assembly do vote and resolve, and it is voted and resolved, that some allowance shall be made the petitioner, towards reimbursing him a part of the cost and expense he hath been at, in the matter aforesaid; and Nicholas Cook, Esq., George Brown, Esq., and Mr. Nicholas Brown, are hereby appointed a committee to consider what that allowance ought to be, and make report thereof unto the General Assembly, as soon as conveniently may be.

Whereas, Benjamin Sheffield, of Jamestown, of the county of Newport, preferred a petition unto the General Assembly, at their session holden in Newport, on Tuesday, the 22d day of June last, and represented that notwithstanding the prices of ferriage in this colony are stated by law, yet the owners of the ferries at Newport, Jamestown and Narragansett, oblige all persons that pass over said ferries, to pay double of the lawful price, which is greatly injurious to the public; that he is one of those that have been thereby aggrieved; and having a place convenient for setting up a ferry on the west side of Jamestown, aforesaid, prayed to have liberty granted him to do so; and now, the subject matter of the petition aforesaid, being duly considered,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the said Benjamin Sheffield shall have, and hereby is granted him liberty to set up a ferry on the west side of Jamestown, for the carrying and transporting of all persons that shall desire it; together with their goods, effects, merchandise, cattle, horses and all other things usually carried in a ferry boat; provided, he will erect a wharf or pier suitable for the business, and take no greater price for ferriage or transportation, than was by law allowed at the time when he preferred his aforesaid petition.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that when fines have been, or shall

be, paid by persons that were draughted or impressed to go in the last expedition against Crown Point, all and every such fine shall be paid into the treasury of the town in which such fine or fines have been, or shall be paid ; excepting such fines or the part of them, that have or hath been appropriated to the hiring of another or others to go in the stead of him or them that paid or shall pay such fine or fines.

An Act for impressing such and so many men as shall be wanted, after the returns made to the several field officers, to complete and make up the four hundred and fifty men, by the General Assembly, at their last session, ordered to be raised in this colony for the ensuing campaign.

Whereas, the General Assembly, at their session, begun and holden at Providence, on Tuesday, the 1st of February last, made and passed "An act for raising, clothing and paying four hundred and fifty able bodied, effective men, for the ensuing campaign against His Majesty's enemies in North America," to be under the immediate command of His Excellency the Earl of Loudoun ; and whereas, by instructions received from His Lordship, the said men are to be in readiness to march by the 25th day of this instant March,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that each respective captain that is chosen to the command of the four hundred and fifty men to be raised in this colony, shall make his return of every man enlisted, (it being witnessed by the muster master that he hath passed muster), with his name, and the name of the town to which he belongs, unto every colonel in the colony, or in his absence, to the next field officer, by the 24th day of this instant March ; which list, said field officer shall examine, and thereupon set off to every town in his district, the number of men that belong to such town to furnish, and shall send the names of the other men that do not belong to his district, to the several towns unto which they respectively belong ; whereupon, each respective colonel, or the next field officer, shall immediately grant forth his warrant to the captain,

or next officer of each of the troops of horse, and of the foot company or companies, in every town that shall be found deficient in enlisting its proper quota, immediately to impress and bring to him so many able bodied men, fit for soldiers, as shall make up each town's proportion, agreeably to the list in this act hereafter to be set down and made.

And every man so impressed, shall be obliged to serve as a soldier, or find a good, able bodied, effective man to serve in his stead; unless he hath some reasonable or lawful excuse, to be made unto, heard, and fully determined by the three field officers, or any two of them, and one captain; or by one field officer and two captains of trained bands in the same regiment; but no captain, who shall impress a man, may be a judge of his excuse.

And when any man that hath been impressed, is excused or doth not pass muster, the captain who impressed him shall be ordered by the field officer, who heard such excuse, to impress another, forthwith, in his stead.

And any man so impressed, upon his paying a fine of £100, old tenor, to one of the field officers, in the same regiment, shall be excused; and such field officer shall order another to be impressed in his stead, according to the officer's best discretion; and so on, from time to time, as often as any shall be excused, or pay a fine, until the required number of soldiers shall be completed and made up.

And every man, who after being impressed, will sign an enlistment and take the proper oath, shall be entitled to, and receive, the same bounty, privileges and immunities, as are given to such soldiers as enlist voluntarily.

And be it further enacted by the authority aforesaid, that all and every of the artillery companies in this colony, furnish their proportion of men, that shall be deficient in the respective towns to which they belong; His Honor the Governor, or His Honor the Deputy Governor, joining with the colonel, or next field officer, to proportion the same.

And be it further enacted by the authority aforesaid, that

each captain of the said five companies, to be raised for the ensuing campaign, muster and draw all the soldiers which they and their officers have enlisted, together, at the most proper and easy place of rendezvous, before or upon the 23d day of this instant March, and keep them together, until they receive further orders ; and that the committee of war direct in what manner the said five companies shall be completed out of the men impressed, or that may be enlisted in any county, more than their full proportion ; and that each captain, or other commanding officer, be allowed and paid out of the general treasury, the sum of £3, old tenor, for each able bodied, effective man, that he shall return, as aforesaid.

And be it further enacted by the authority aforesaid, that the following shall be the proportion of the men to be raised in the several towns within this colony, that is to say :

The town of Newport shall furnish seventy-eight able bodied, effective men ; Portsmouth, eleven ; Jamestown, four ; Middletown, eight ; Tiverton, fourteen ; Little Compton, thirteen ; Providence, thirty-seven ; Smithfield, twenty-two ; Scituate, seventeen ; Gloucester, seventeen ; Cumberland, eleven ; Cranston, seventeen ; Westerly, twenty-six ; North Kingstown, nineteen ; South Kingstown, sixteen ; Charlestown, nine ; Exeter, fifteen ; Richmond, ten ; Bristol, eleven ; Warren, eleven ; Warwick, twenty-one ; East Greenwich, sixteen ; West Greenwich, thirteen ; and Coventry, fourteen.

And be it further enacted by the authority aforesaid, that if any field or commissioned officer shall neglect to do his duty, as the same is herein afore directed and ordered, he shall forfeit and pay as a fine, the sum of £1,000, in bills of public credit, of the old tenor, to and for the use of the colony ; to be levied by distress on his goods and chattels, in the manner usual in such cases ; and all fines of soldiers, arising from this act, shall be paid into the treasury of the town where the person lives that may pay his fine ; which shall be disposed of to and for the use of the said town.

And be it further enacted by the authority aforesaid, that

a copy of this act be forthwith made, and sent by express, or otherwise, unto the field officers in this colony, on or before the 19th day of this instant March.

This Assembly do vote and resolve, and it is voted and resolved, that the captain of Fort George enlist twenty soldiers for said fort, at the wages of £30, old tenor, per month ; they finding themselves, and being subjected to the same duties as the soldiers at said fort were the last year ; and that the committee appointed to carry on the buildings of said fort, remove the barracks therein, for the better carrying on the work.

And the directors of the lottery that was opened and set up for raising a sum of money to carry on the building of the fort, aforesaid, are hereby directed to pay the nett produce of said lottery into the general treasury ; and Capt. Wm. Mumford is hereby empowered to draw the same out of the treasury from time to time, as the work shall require.

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war be, and they are hereby directed and fully empowered, to take up proper vessels for transporting the forces that are raising in this colony for the ensuing campaign.

And His Honor the Governor is hereby requested to answer the letters of Major General Webb and Mr. James Syme.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the chief officer of the four hundred and fifty men, to be raised in this colony, for the ensuing campaign, be allowed pay at the rate of £210, old tenor, per month ; and also shall have allowed him £210, of the like currency, for his table.

This Assembly do vote and resolve, and it is voted and resolve, that Capt. William Mumford be, and he hereby is, appointed to get the lead taken off the top of the colony house, in the county of Newport, and deliver the same unto the sheriff of that county, in order to its being kept safe, for the colony's use ; and that the said William Mumford procure a small hip

roof to be raised on said house, to be shingled and surrounded with a balustrade ; all the charge of the colony.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that His Honor the Governor, and His Honor the Deputy Governor, be, and each of them is hereby, authorized and fully empowered, upon information of an enemy's being upon the coast, and distressing our trade, to take up, fit out, and man a suitable vessel, and send her out at the colony's charge, in order to protect and save the navigation.

Whereas, the General Assembly, at their session holden at Providence, on Tuesday, the 1st of February last, made and passed an act appointing and empowering the deputies of each respective town in this colony, to inquire into the conduct of several of the soldiers that went in the late expedition against Crown Point, with regard to this : that some had sold and others retained the colony's arms ; and whereas, no report hath been made concerning that affair,—

This Assembly, therefore, do vote and resolve, and it is voted and resolved, that the deputies make a return unto the committee of war as soon as possible of all their doings in the matter aforesaid ; and the committee of war is hereby authorized and fully empowered to hear and determine all and every affair relating to the same.

This Assembly do vote and resolve, and it is voted and resolved, that His Honor the Governor permit a vessel to sail from Providence to Boston, with a load of lime for His Majesty's use, conformably to the request of Messrs. Apthorp & Son, expressed in their letter to Daniel Jenckes, Esq. ; and that no more men go in said vessel than shall be sufficient to navigate her.

God save the King.

Secretary William Pitt, to the Governor and Company of Rhode Island.

Whitehall, February 4th, 1757.

Gentlemen :—The King having nothing more at heart, than the preservation of his good subjects and colonies of North America, has come to a resolution of acting with the greatest vigor in those parts, the ensuing campaign; and all necessary preparations are making for sending a considerable reinforcement of troops, together with a strong squadron of ships for that purpose, and in order to act offensively against the French, in Canada.

It is His Majesty's pleasure that you should forthwith call together your Council and Assembly, and press them, in the strongest manner, to raise, with the utmost expedition, a number of provincial troops, at least equal to those raised the last year, for the service of the ensuing campaign, over and above what they shall judge necessary for the immediate defence of their own province; and that the troops so raised do act in such parts as the Earl of Loudoun, or the commander in chief of His Majesty's forces, for the time being, shall judge most conducive to the service in general.

And the King doubts not but that the several provinces, truly sensible of his paternal care, in sending so large a force for their security, will exert their utmost endeavors to second and strengthen such offensive operations against the French, as the Earl of Loudoun, or the commander in chief for the time being, shall judge expedient; and will not clogg the enlistments of the men, or the raising of the money for their pay, &c., with such limitations, as have hitherto been found to render their service difficult and ineffectual.

And as a further encouragement, I am to acquaint you, that the raising of the men, their pay, arms and clothing, will be all that will be required on the part of the several provinces; measures having been already taken for laying up magazines of stores and provisions of all kinds, at the expense of the crown.

I cannot too strongly recommend it to you, to use all your influence with your Council and Assembly for the punctual and immediate execution of these His Majesty's commands.

I am, gentlemen,

Your most obedient humble servant,

W. PITT.

To the Governor and Company of Rhode Island.

Secretary William Pitt, to the Governor and Company of Rhode Island.

Whitehall, February 19th, 1757.

Gentlemen :—Having, in my letter of the 4th inst., informed you, that it was the King's intention to send a strong squadron of ships of war to North America, I am now to acquaint you, that His Majesty has been pleased to appoint Rear Admiral Holburne to command the said squadron; and it is the King's pleasure, that, in

case any naval assistance shall be wanted for the protection of your government, you should apply for the same, to the said rear admiral, or to the commander in chief for the time being of His Majesty's ships in those seas, who will send you such assistance as he may be able to do consistently with the service with which he is charged by His Majesty's instructions; and you will regularly communicate to the said commander, all such intelligence as shall come to your knowledge, concerning the arrival of any ships of war, or vessels having warlike stores on board; and likewise all such advices as may concern their motions and destination, or may in any manner relate to that part of His Majesty's service with which the commanders of the King's ships should be acquainted.

And for the better execution of the orders sent you in this letter, you will be diligent in employing proper persons and vessels, not only to procure you the earliest intelligence, but likewise to be despatched, from time to time, to the said commander of His Majesty's ships, with such accounts as you shall have occasion to communicate to him.

It is also His Majesty's further pleasure that you should use all legal methods, whenever the commander in chief of His Majesty's ships shall apply to you, to raise such a number of seamen, from time to time, as shall be wanted to recruit the ships in North America.

I am, gentlemen,

Your most obedient humble servant,

W. PITT.

To the Governor and Company of Rhode Island.

Lord Loudoun to Governor Hopkins.

New York, March 2d, 1757.

Sir:—As I have received His Majesty's orders, to make preparations for vigorous and offensive operations, in the ensuing critical and important campaign,—

This obliges me to recommend it to you, to lay an embargo on the port or ports of your government, lest I should not be able to carry that plan to the extent that the importance of it requires.

As you must be sensible of the necessity of secrecy, in operations of this nature, I cannot doubt that you will excuse my not laying the plan before you.

This measure, I see necessary to recommend to Virginia, and all the governments northward of it, that His Majesty's service may not be disappointed of a supply of such ships or vessels as may be necessary for carrying this important service into execution, so essential to the well being of His Majesty's colonies.

From the present situation of affairs, and the advanced season, there has not been time to concert this measure with the different governments; but I have the satisfaction to acquaint you, that in consequence of this recommendation, an embargo has this day taken place in the port and ports of this province; and I can have no doubt, from your zeal, that in support of the common cause, your colony will follow so good an example.

I must therefore desire you will send me, by the return of this express, an account of the ships and vessels in your ports, and their tonnage fit for transporting troops, that I may give you the earliest notice of what parts of them will be necessary to take into His Majesty's service.

And I must further desire that this may not be made public, till the embargo is actually laid on.

I am, with great regard, sir,

Your most obedient humble servant,

LOUDOUN.

To the Hon. Stephen Hopkins, Esq.

Major General Abercromby to Governor Hopkins.

New York, March 11th, 1757.

Sir:—Your letter of the 10th inst., shall be forwarded to My Lord Loudoun, who before he set out for Philadelphia, sent directions to Capt. Bradstreet to take up transports to a certain tonnage; but though he should be supplied with the complement directed, it is to be understood that the embargo is to continue in full force until you have further advice from Lord Loudoun.

With regard to the arms, if my memory serves me, it is only the arms of the sick and dead men, which were lodged at the forts, and at Albany; for which, the commissaries of the train granted receipts.

Whatever will be wanted for this year's service, had best be delivered to the men, as they arrive at Albany; I dare say, upon inquiry, you will find that your men that were able, carried their arms home with them; so that there ought not to be so great a deficiency for your numbers of this year.

I am, sir, your most obedient humble servant,

JAMES ABERCROMBY, Major General.

To the Hon. Stephen Hopkins, Esq.

A. D. Qr. Mr. General Robertson to Gov. Hopkins.

New York, April 12th, 1757.

Sir:—The Earl of Loudoun has commanded me to acquaint Your Excellency, that the public service requires that the forces of the Rhode Island government be with all expedition cantoned in the villages near Albany; and that he thinks the speediest and most commodious method of getting them to these quarters, will be by water carriage.

His Lordship, therefore, entreats Your Excellency to give directions that they be embarked and brought to this place with the utmost expedition.

A great deal of business has obliged Lord Loudoun to transfer to me the honor of writing to Your Excellency.

Give me leave to declare my satisfaction in having an occasion to declare myself with esteem,

Your Excellency's obedient and humble servant,

JAMES ROBERTSON, A. D. Qr. Mr. General.

To His Excellency Governor Hopkins.

Lord Loudoun to Governor Hopkins.

New York, April 30th, 1757.

Sir:—It having been represented to me, that at the time of laying on of the embargo, there were a number of vessels in the several ports of the provinces, where the embargo took place, that were actually loaded and cleared previous to the embargo being laid ;

And being desirous to give every ease to the trade, consistent with carrying on the service, I have consulted with Sir Charles Hardy, and we both agree that, considering the forwardness in which the transports now are, that the said ships so loaded and cleared at the time of laying the embargo, may without prejudice to His Majesty's service, be permitted to depart, on Friday, the 6th day of May next.

And I am in hopes of having things soon in such forwardness, as to be able to write to you to take off all restraints from the shipping, on account of that part of His Majesty's service, that I am particularly appointed to manage.

I ever am, with great regard, sir,

Your most obedient, humble servant,

LOUDOUN.

To the Hon. Stephen Hopkins, Esq.

Sir Charles Hardy to Governor Hopkins.

Fort George, New York, 30th April, 1757.

Sir:—As there were some ships and vessels in this port, that were actually loaded and cleared out, when the general embargo was laid on, and the transports taken up for His Majesty's service being in great forwardness ; I have, with the advice of His Majesty's council, given leave to such ships and vessels to depart on a certain day, agreeably to the enclosed minute of Council, to which I beg leave to refer you ; and shall only observe, that no ships or vessels that were not cleared on the 2d day of March last, will be permitted to sail ; but the embargo will be continued till his Majesty's service will admit of taking it off, in all which I hope your government will concur.

I am with great regard, sir,

Your most obedient humble servant,

CHAS. HARDY.

To the Hon. Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1757.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

FREEMEN ADMITTED.

Whereas, all and every of the persons, whose names hereafter follow, have taken the oath or affirmation prescribed by the colony law, against bribery and corruption in the election of officers within this government, as appears by proper returns from the respective town clerks,—

This Assembly do vote and resolve, and it is voted and resolved, that they and each of them be, and hereby are, made free of the colony, and may therefore lawfully give their votes to choose officers, not only for their respective towns, but also in the choice of general officers.

Newport—John Beet, Richard Beale, Jeremiah Brown, Benjamin Brown, James Cahoone, Samuel Cranston, Jeremiah Cranston, Joseph Cowley, Edward Chapman, Shearman Clarke, Robert Elliot, Peleg Easton, Jeremiah Fish, George Gibbs, Caleb Gardner, Jr., Jeremiah Heffernan, John Heath, Geo. Hunt, Isaac Ingraham, Henry Knowles, Samuel Mumford, William Rogers, Josias Rogers, Robert Taylor, son of Peter; Charles Anthony Wigneron, Oliver Warner, John Wanton, son of Gideon; and Robert Wheatley.

Providence—Amos Arwell, Samuel Aborn, John Brown, Nathan Brown, Benjamin Cushing, Jr., Nathan Comstock, James Comstock, Aaron Dorr, William Douglas, James Edmunds, Bernard Eddy, Joseph Kinnicutt, John Knox, Seth Luther, John McCreary, Hazadiah Mitchell, John Nash, James Olney

Jr., Phineas Potter, William Proud, John Smith, Jesse Smith, Job Sweeting, Darius Sessions, Henry Stephens, Simeon Stephens, Josiah Seamans, Peleg Seamans, Richard Thornton, Jr., David Thayer, Joseph Thurber, William Tyler, Ezra Whipple, Joseph Whipple, William Wheaton, Comfort Wheaton and Eleazer Whipple.

Portsmouth—Job Durfee, James Kirby, David Fish, Jr., Edward Barker, Arnold Thomas, Thomas Shearman, Jr.; Allen Fish, Parker Shearman, Borden Chace, Charles Bowler, Josias Lawton, John Ward, Samuel Fetteplace, Jonathan Fetteplace and Edward Perry, Jr.

Warwick—Thomas Warner, John Budlong, Jr., Morgan Kirvine, Job Briggs, Joseph Straight, Toleration Harris, William Greene, son of William Greene, the 2d; Thomas Sweet, Benj. Gorton, Benjamin Gorton, Jr., Thomas Stafford, Pardon Pearce, Benj. Greene, son of Nathaniel, Jr. and Wm. Wood, Jr.

Westerly—Ichabod Babcock, Jr., James Bliven, Joseph Gavit, David Maxson, Stephen Wilcox, Jr., Isaac Ross, Elisha Saunders, Nathan Bliven, Gideon Saunders, Sandford Noyes and William Crandall.

New Shoreham—Oliver Ring Rose, Wm. Willis and Walter Rathbun.

North Kingstown—John Gardner, William Slocum, George Fowler, Jr., Jonathan Wilbor, Richard Phillips, Bartholomew Hunt, Jabez Reynolds, Christopher Aylsworth, Thomas Phillips, Jr. and Joseph Clarke.

South Kingstown—Benjamin Greenman, Jonathan Babcock, Sylvester Robinson, Stephen Champlin, Jr., Jonathan Holloway, Josiah Tanner, Robert Crandall, Benjamin Holloway, Jos. Terry, Carder Haszard, Coon Williams, John Franklin, Samuel Rose, Jeremiah Albro, Thomas Champlin, Nathaniel Gardner, Jr., Benedict Oatley and John Lillibridge.

East Greenwich—Caleb Spencer, Jonathan Tarbox, Josiah Matteson, Henry Tibbetts, Jr., Jonathan Card, Robert Vaughan, Jr., Jonathan Lee, Christopher Vaughan, Jr., Samuel Fry, Jonathan Andrew, Edmond Andrew, George Pierce, Wm. Pierce,

Clement Weaver, son of John ; Joseph Spencer, John Briggs and Caleb Briggs.

Jamestown—Benjamin Weeden, Benjamin Underwood, John Cranston, Joseph Greene, John Carr and Nicholas Carr.

Smithfield—Joseph Chillson, Jeremiah Walling, Job Aldrich, Abraham Aldrich, Robert Latham, Jr., Hanson Read, Isaac Ballard, Elisha Smith, Adam Harkness, Thomas Shippe, Nathan Shippe, Amos Keech, Elisha Mowrey, Jr., Silas Tucker, Samuel Cook, Jeremiah Olney, Samuel Smith and Gideon Sayles.

Scituate—John Phillips, John Round, Ezra Stone, Francis Fuller, Jr., Nathan Millard, Isaac Medbury, Robert Davis, Benjamin Whitman, Joseph Smith and Ezra Potter.

Glocester—Edward Davis, Joseph Phillips, Charles Pollock, Jonathan Phetteplace, Joram Kynion, John Walling, Stephen Baker, Abraham Inman, David Blackman, Ebenezer Aldrich, Daniel Owen, Abraham Waterman, Jonathan Smith, Cornelius Havens, Obadiah Brown, Benjamin Barrel, Daniel Wheelock, Daniel Howard, Isaiah Hernden, John Page, John Bushee, Nehemiah Lewis, Richard Tucker, Preserved Hernden, Stephen Grover, Andrew Phillips, Enoch Smith, David Phillips and Oziel Inman.

Charlestown—Daniel Edwards and David Denvay.

West Greenwich—Jonathan Matteson, Jr., Nathan Matteson, Eleazer Greene, Nathan Greene, Ephraim Aylsworth, Benjamin Tanner, Jr., Sylvester Gardner, Peter Crandall, Thomas Reynolds, John Joslin, William Wait, Joseph Cass and Zerobabel Mattheson.

Coventry—Stephen Drivinels, Jonathan Matteson, son of Thomas ; Benjamin Weaver, Daniel Weaver, Joshua Bates, John Rice, Ebenezer Rice, Abel Gibbs, John Nichols, Jr. and Stephen Colvin.

Exeter—Job Tripp, Jr., Simeon Babcock, James Babcock, Joseph Holloway, Sylvester Eldred, John Congdon, Benjamin Rathbun, Jr., Perry Mumford, James Allen, Joseph Phillips, Bartholomew Phillips, Oliver Rathbun, William Tanner, Jr.,

George Willcox, Ebenezer Moon, Jr., John Lewis, Benjamin Reynolds, Caleb Robins, William Hill, George Weight and James Lewis.

Middletown—Isaac Peckham, Gideon Coggeshall, John Bailey, Samuel Bailey, Jr., Joseph Peabody, James Weaver, Matthew Coggeshall and William Weaver.

Bristol—Henry Bosworth, Samuel Pearce, Billings Throop and Stephen Wardwell.

Tiverton—John Negus, Peleg Barker, Robert Barker, Wm. Durfee, son of Samuel; William Woodel, Jr., Thomas Hickee, Abraham Brown and John Davenport.

Little Compton—John Brownell, Daniel Ormsby, George Simmons, James Pearce, Samuel Pearce, Jonathan Peckham, Adam Simmons, Geo. Pearce, Joshua Brownell, Aaron Davis, Peter Simmons, Peleg Wood, Christopher White, Benjamin Brownell and John Briggs.

Cumberland—Noah Whitman, James Lovet, James Commins, Solomon Peck, Abner Lapham, Roger Hill, Jr. and Enos Jilson.

Richmond—Harper Rogers, Robert Stanton, Jonathan Potter, Joshua Clarke, Joseph Petty and William Clarke, son of Thomas.

Cranston—John Randall, Jr., Jeremiah King, Thomas Potter, son of John Potter, Esq.; William Stone, Jr., John Congdon and James Waterman.

The following officers, declared elected, were duly engaged :

The Hon. William Greene, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

Mr. James Honeyman,

Mr. Nicholas Easton,

Mr. Henry Harris,

Mr. Jabez Bowen,

Mr. Robert Lawton,

Mr. David Anthony,

Mr. Jeremiah Lippitt,

Mr. Nathaniel Searle,

Col. Thomas Hazard,

Mr. Daniel Coggeshal

DEPUTIES.

Newport.

Lieut. Col. Benj. Wickham,
 Mr. Simon Pease,
 Mr. Gideon Wanton, Jr.,
 Capt. Joseph Wanton, Jr.,
 Capt. Daniel Ayrault, Jr.,
 Mr. William Read.

Providence.

Mr. William Smith,
 Col. Christopher Harris,
 Mr. Daniel Jenckes,
 Mr. James Olney.

Portsmouth.

Mr. Francis Brayton,
 Mr. Isaac Barker,
 Mr. Giles Slocum,
 Mr. John Shearman, Jr.

Warwick.

Mr. Joseph Lippitt,
 Capt. Randall Rice,
 Mr. Othniel Gorton,
 Capt. James Arnold, Jr.

Westerly.

Mr. Samuel Ward,
 Capt. Joseph Stanton.

New Shoreham.

Capt. Edward Sands,
 Mr. John Littlefield.

North Kingstown.

Col. Immanuel Northup,
 Mr. Samuel Albro.

South Kingstown.

Mr. Jeremiah Niles,
 Mr. Latham Clarke.

East Greenwich.

Mr. Joseph Nichols,
 Mr. Thomas Casey.

Jamestown.

Capt. Wm. Haszard,
 Mr. Edward Carr.

Smithfield.

Mr. Thomas Arnold,
 Mr. Jeremiah Mowrey.

Scituate.

Capt. Job Randall,
 Mr. Jeremiah Angel.

Glocester.

Capt. John Smith,
 Mr. Richard Steere.

Charlestown.

Col. Christopher Champlin,
 Mr. Gideon Hoxie.

West Greenwich.

Mr. Preserved Hall,
 Mr. Benjamin Gardner.

Coventry.

Capt. Abel Potter,
 Mr. Isaac Greene.

Exeter.

Capt. John Reynolds,
 Mr. Benoni Hall.

Middletown.

Mr. William Bailey,
 Mr. Joshua Coggeshall, Jr.

Bristol.

Capt. Simeon Potter,
 Mr. William Pearce.

DEPUTIES.

Tiverton.

Mr. Samuel Durfee,
Mr. John Bowen.

Little Compton.

Mr. Thomas Church,
Mr. William Wilbore.

Warren.

Mr. Thomas Cole,
Mr. Peter Bicknel.

Cumberland.

Mr. Job Bartlett,
Mr. Jeremiah Whipple.

Richmond.

Mr. Samuel Teft,
Capt. Peleg Thomas.

Cranston.

Mr. Jonathan Randall,
Mr. Matthew Manchester.

Hopkinton.

Major Joshua Clarke,
Mr. Hezekiah Collins.

Lieut. Col. Benjamin Wickham, speaker, and Mr. Josias Lyndon, clerk.

Mr. Thomas Ward, secretary.

Mr. Daniel Updike, attorney general.

Mr. Thomas Richardson, general treasurer.

The Hon. John Gardner, chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. George Gardner. Providence county, Mr. Allen Brown. Kings county, Mr. Beriah Brown. Bristol county, Mr. Nathaniel Bosworth. Kent county, Mr. Benjamin Arnold.

COLONELS OF THE SEVERAL COUNTIES.

Newport county, Mr. Godfrey Malbone. Providence county, Mr. John Andrews. Kings county, Mr. William Pendleton. Kent county, Mr. Stephen Low.

The following gentlemen were chosen the committee of war, viz. :

The Hon. Stephen Hopkins, Esq., first ; the Hon. John Gardner, Esq., second ; Daniel Jenckes, Esq., third ; Thomas Cranston, Esq., fourth ; Peter Bours, Esq., fifth ; Robert Potter, of Charlestown, Esq., sixth.

The Hon. Gideon Wanton, Esq., Benjamin Nichols, James Sheffield, Obadiah Brown, Samuel Chace, James Arnold, Geo. Brown and Nicholas Easton, Esqs., the grand committee, or trustees of the colony, for signing bills of public credit.

And the aforesaid Benjamin Nichols, Esq. is chosen and especially appointed to have and take the care and charge of the colony's mortgages and bonds for tenths, and to receive the money due, and to be due thereon ; and also to make and give proper acquittances and discharges upon the mortgages, or otherwise, when he receives any of the colony's money ; and in case of non-payment, to put in suit the bonds and mortgages of all those that refuse or neglect to make due payment.

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war provide and lay in for the soldiers raised by this colony, for the ensuing campaign, so much rum as shall be necessary for them, until their arrival at Albany ; and that what clothing is provided for the said soldiers, and shall not be by them received before their departure, be packed up and sent in the transports with the soldiers, under the care of the chief officer, that they may be supplied therewith, after their arrival at, or upon their passage to Albany, if found necessary ; and that the chief officer keep an exact account of the clothing that he shall deliver, as aforesaid, and render the same unto the committee of war.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that each and every of the sheriffs that have been chosen by this Assembly, or that shall at any time hereafter be elected, give bond with sufficient sureties, before or at time of his engagement, unto the general treasurer, in the sum of £20,000, in bills of public credit, of the old tenor, for his due and faithful execution of said office, in all and every branch thereof.

Whereas, a part of the town of Charlestown's proportion of

the last rate was assessed on the Indians of that town ; which the General Assembly afterwards ordered to be assessed and levied upon the white inhabitants of said town ; but the same hath not yet been done,—

This Assembly therefore do vote and resolve, and it is voted and resolved, that the general treasurer be, and he hereby is directed and fully empowered to give out his warrant for collecting and levying the same, within one month after the rising of this Assembly.

This Assembly do vote and resolve, and it is voted and resolved, that His Honor the Governor be, and he hereby is, requested to make out the commissions for the officers appointed to command in the ensuing campaign, and give orders for the immediate sailing of the transports with the soldiers ; together with the proper instructions to the chief officer for the due regulation of his conduct.

This Assembly do vote and resolve, and it is voted and resolved, that the persons who were appointed to take a true account of the value of all the ratable estates, and the number of all ratable polls within this colony, be still continued for that purpose ; and that they make report unto this Assembly, at their next session, upon the peril of incurring the penalty mentioned in the act for taking the said account.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the committee of war be, and they hereby are, invested with the same power and authority, as they have heretofore had, until the next session of this Assembly, respecting the present expedition, and procuring every thing necessary for sending away the forces, and so forth.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that all prisoners subject to the French king, that shall from time to time be brought into this colony, be confined in some of His Majesty's jails, and maintained at the charge of the colony, after the condemnation of the prize in which they are brought.

This Assembly do vote and resolve, and it is voted and resolved, that Mr. William Read, be, and he hereby is, added to

Capt. William Mumford and Mr. Caleb Carr, to inspect the dwelling houses and barracks, and all other buildings at the fort, and determine whether it will be best to move or have them pulled down, in order to carry on and complete the building of said fort; and if they think it most prudent to pull the said buildings down, that they consider and determine where to erect others in their stead.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the town of Newport be, and hereby is, empowered to make a rate for the defraying the charge of watching in said town, in time of war, as well as in time of peace, if it shall be thought by the council of war, as well as of said town, to be the best method; and that the fine for neglecting to ward in the town of Newport, be augmented to £3 per day; and for neglecting to watch, be augmented to thirty shillings by the night.

An Act for empowering His Honor the Governor, upon demand being made by Major General Webb, or the commanding officer for the time being, to raise and forthwith send one hundred and fifty men to his assistance.

[This act was repealed in August.]

This Assembly do vote and resolve, and it is voted and resolved, that the committee appointed to build the colony sloop be, and they are hereby, empowered to draw money out of the general treasury, for carrying on that business; and if there be not a sufficiency there, the general treasurer is directed to hire what shall be wanting; and that the said committee proceed in said work as fast as possible.

An Act for preventing the officers in this colony from being used ill in the discharge of their duty.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that every inhabitant or resident within this colony, who, at any time after the publication of this act, obstructs, insults, assaults, or in any other way or manner

abuses any civil or military officer of the colony, in the execution of his office, or afterwards for having done what was his duty, shall forfeit and pay as a fine, unto and for the colony's use, a sum of money in proportion to the nature of the offence, not exceeding £1,000, in bills of public credit, of the old tenor, to be recovered by bill, plaint, or information, at any court of record in the county where the offence shall be committed.

God save the King.

Lord Loudoun to Governor Hopkins.

New York, May 2d, 1757.

Sir:—As I have received a copy of the letter from one of His Majesty's principal secretaries of state to you, signifying His Majesty's pleasure that you should raise for the public service the like number of men you did last year, independent of those necessary for the security of your own province, &c.

As I am now preparing, agreeably to His Majesty's orders to me, to leave this province, with the transports to join the fleet, and succors from Europe; and shall leave Major General Webb to command at Albany and the forts, with a body of His Majesty's regular forces, together with the troops raised by the northern colonies.

And as I had settled the quota of men to be raised by you, and the neighboring provinces, for the operations of the year, before the secretary of state's letter arrived, I have some doubt, if the addition now required by that letter, to put them on the foot of last year, with respect to number, can be raised and marched to take the field in due time to enter upon service; therefore, both to comply with the secretary of state's orders, and for the greater security of the country, it appears to me absolutely necessary that the militia of your province should be properly armed, and furnished with ammunition, and have a standing order to march to the aid and assistance of the forces under the command of Major General Webb, or the commander of His Majesty's forces in that quarter, on his requisition; and that this order should be more particularly given and enforced in such part of your province, as is most nearly situated to those forces, without waiting for any further orders from you.

From your zeal for the public service, I can have no doubt of your complying with this recommendation; and hope, if the necessary orders are given and strictly obeyed by them, to receive the same benefit from your militia, that we did lately on the enemy's attempt on Fort William Henry, from the militia in the upper part of this country.

I shall send Major General Webb a copy of this, to whom, at Albany, I desire you will communicate the orders you give; and to whom, that he may know what officers of your militia to call upon on any emergency; and likewise transmit a copy of that to me, at New York.

I am, with great regard, sir,

Your most obedient, humble servant,

LOUDOUN.

Though I have had notice of the motion of the troops in the pay of the other New England governments, and that they are, by this time, arrived at or near the places of their destination, yet I have not had the least account of those in the pay of your government being set out; therefore, I must beg, that if they are not already moved, they may be ordered forward with all possible despatch, with their camp equipage and every thing else necessary for them, as it is absolutely necessary for the service.

The Earl of Holderness to the Governor and Company of Rhode Island, relative to the Embargo.

Whitehall, May 2d, 1757.

Gentlemen :—The crops of corn having, from the badness of the season, last year, greatly failed in many parts of Great Britain and Ireland, which makes a supply thereof very much wanted; for which reason, orders have been sent to purchase large quantities in America; and it being apprehended that the ships loaded therewith, may not be able to sail, on account of the embargo laid in several parts of America, by Lord Loudoun's desire, on all ships in general, by which means, His Majesty's dominions in Europe may be greatly distressed, I am commanded to signify to you, the King's pleasure, that you do immediately, upon the receipt of this letter, cause any embargo that shall be then subsisting, within your colony, either in consequence of Lord Loudoun's application to you, or of any directions sent you by the board of trade, to be taken off from all vessels loaded with corn, or any other species of grain, for Great Britain and Ireland; and that you do take particular care, that no future embargo, which it may be thought expedient to lay, do extend to vessels so loaded; but on the contrary, you will give all proper encouragement and assistance to persons who shall be employed in the purchasing and shipping corn, for the supply of His Majesty's dominions, in Europe, taking care, that they do give sufficient security for landing the cargoes at the places for which they shall be designed, agreeably to an act of Parliament, passed this session, entitled "An act to prohibit, for a limited time, the exportation of corn, grain, meal, malt," &c., &c.; which act has been transmitted to you, by the lords commissioners for trade and plantations.

I am, gentlemen,

Your most obedient, humble servant,

HOLDERNESSE.

To the Governor and Company, of Rhode Island.

Governor Greene to Lord Loudoun.

Newport, Rhode Island, May 9, 1757.

My Lord :—As my country hath thought proper that I should take upon me the office of chief magistrate of this colony, I am, in that character, to acknowledge the receipt of two letters of the 30th of April and 2d inst., by Your Lordship, addressed to my predecessor.

I laid both before the General Assembly, which, very fortunately, was sitting at the time. Those letters were sent me by Mr. Hopkins.

I earnestly pressed them to put the colony in such a posture of defence, as you

recommended ; but could not prevail upon the representatives of the people to go any further than to pass an act empowering me to raise out of the militia, and upon the requisition of Major General Webb, or the commanding officer for the time being, forthwith send one hundred and fifty men to assist in defending the country, as you will perceive by the copy enclosed.

The reason that the gentlemen would not come in to measures for getting a greater number of men in readiness, was, that these one hundred and fifty will make up the complement that this government furnished the last campaign, which it was thought will exactly conform with His Majesty's demand, signified to us by his secretary of state.

I have [only] to add, that you may rely up [on my doing] every thing in my power, for his and the defence of the country.

With great regard,

Your Lordship's most obedient, most humble servant,

W. GREENE.

To His Excellency the Earl of Loudoun.

Instructions to Samuel Angel, Commander in Chief of the Rhode Island troops.

By the Honorable William Greene, Esq., Governor, captain general and commander in chief over the English colony of Rhode Island and Providence Plantations, in New England, in America.

Instructions to be carefully observed by Samuel Angel, Esq., commanding officer of the five companies raised in this colony, and all and every the officers under him, to be employed in the service of His Majesty, under the immediate command and direction of His Excellency the Earl of Loudoun.

First. You are to embrace the first suitable weather, and embark with the troops under your command in the vessels provided by His Majesty for that purpose, and proceed directly to New York ; when you shall arrive there, you are to wait upon His Excellency the Earl of Loudoun, and inform His Lordship of your arrival, and obey his orders relating to the disposition of your troops. But if His Lordship should not be at New York, you are then to proceed to Albany, and acquaint His Lordship, or the commanding officer of the army there, of your arrival, and follow his directions.

Second. During the voyage, make it your principal care, that all under you be well treated in every respect, that the troops may be in good order when you arrive, full of spirit and vigor ; and steadily exert yourself that they may continue so at all times after.

Third. You are required to take particular care that none of the stores and other things committed to your charge, or that may fall under your cognizance or notice, be wasted, embezzled or damaged in any way or manner ; and that the clothing delivered into your hands, agreeably to a vote of the General Assembly, be distributed to the soldiers, and an exact account kept of the same ; each soldier to be charged with what he may take up.

Fourth. You are to take due care that the troops be constantly supplied with necessaries of all sorts while marching, and when encamped ; that their provisions

be well dressed, that they be kept neat and clean, and that every thing be managed in that and all other respects, with prudence and discretion, by you yourself, and all under you.

Fifth. Also, it is expected, and you are hereby required, to give constant and frequent advice unto your constituents, of the state of the army in general, and of the said five companies in particular; as also accounts of the strength, situation and motions of the enemy, with all other news or intelligence, that may from time to time occur.

Sixth. Notwithstanding all and every of the above written, it is expected that yourself, and all under you, shall, and are hereby required to observe and follow the orders and directions of the commanding officer appointed or to be appointed by His Excellency the Earl of Loudoun.

Given under my hand, in Newport, this 10th day of May, and in the thirtieth year of His Majesty's reign. Anno Domini 1757.

W. GREENE.

The Earl of Holderness to the Governor and Company of Rhode Island, relative to Privateers.

Whitehall, May 20th, 1757.

Gentlemen:—The enclosed extract of a letter from Vice Admiral Townsend to Mr. Cleveland, together with the affidavits thereunto annexed, will inform you of the piratical behaviour of several privateers, fitted out in North America, towards the Spaniards, in the West Indies; particularly of the Peggy, of New York, one Hadden, master; and of a privateer, from Halifax, commanded by one Snooke.

It was with the greatest indignation, that His Majesty received this account of proceedings on the part of his subjects, not only contrary to all humanity and good faith, but to the general instructions given to privateers; and in direct breach of the additional one of the 5th of October last, with regard to Spanish ships; and the King being determined that the most rigorous justice shall be put in execution against such notorious acts of violence, has directed the Governors of New York, and Nova Scotia, to commence prosecutions against the owners, masters and securities of the two privateers, above mentioned.

And it is His Majesty's pleasure, in case either or both of them shall put into any port within your government, that you do cause them to be detained, giving immediate notice to the Governor of New York, of the arrival of the Peggy, Hadden, master; and of that from Halifax, commanded by Snooke, to Governor Lawrence, in order that they may send you such directions as they shall judge most expedient for the execution of the King's commands, signified to them upon this occasion.

Though the additional instruction above mentioned, of the 5th of October last, has been transmitted to you, from the council office, I send you herewith some printed copies thereof; and am to signify to you His Majesty's pleasure, that you be particularly careful, not only to deliver the same to all persons who shall hereafter take out commissions for privateers, but also that, whenever any privateers come to the ports in your government, you do make inquiry whether they have already received the said instruction; and in case you have reason to think they have not, you will cause a copy thereof to be delivered to the commanders of such privateers; and, at the same time, acquaint them that the King is deter-

mined to require the most exact obedience thereto; and that the severest prosecutions will be carried on against those who shall, in any manner, act contrary to the same, and thereby endanger that harmony which His Majesty is so desirous to preserve with the court of Spain.

I am, gentlemen,

Your most obedient, humble servant,
HOLDERNESSE.

To the Governor and Company of Rhode Island.

Order in Council, concerning Privateers.

An additional instruction for the commanders of all such ships and vessels as may have letters of marque, or commissions for private men of war, against the French king, his vassals and subjects, or others, inhabiting within any of his countries, territories, or dominions.

Given at our court, at Kensington, the 5th day of October, 1756, in the thirtieth year of our reign.

GEORGE R.

Whereas, complaint has been made unto us, by order of our good brother, the Catholic king, that some of the private ships of war, belonging to our subjects, have, since the declaration of the present war with France, seized and brought into port, certain Spanish ships, without sufficient cause, and contrary to the stipulations of the treaty made between the two crowns, in 1667, we do strictly forbid all commanders of such ships and vessels as may have letters of marque, or commissions for private men of war, to molest the persons or interrupt the navigation of the subjects of the crown of Spain, or to seize or detain any ships or vessels belonging to them, on any pretence whatever, unless on account of contraband goods and merchandise on board the same.

And we do further enjoin and command all those who may be in any-wise herein concerned, to observe all and every part of the treaty above mentioned, in such manner as to avoid and prevent all disputes with the officers, commanders and subjects of His Catholic Majesty.

By His Majesty's command,
H. FOX.

Admiral Holburne to the Governor of Rhode Island.

Newark, in Halifax Harbor, ———, 1757.

Sir:—I herewith enclose a letter from one of His Majesty's principal secretaries of state, for Your Honor.

I beg leave to acquaint Your Honor, that I am come here with a squadron of His Majesty's ships, to protect the colonies and trade of His Majesty's subjects; and I shall be glad if you will acquaint me whenever I can be of service; and that you will likewise communicate to me any intelligence you may get, of the enemy's motions from time to time.

It being of the greatest consequence that the squadron under my command in those seas should be kept in a proper condition, with regard to being manned, so as always to enable them to meet the enemy (who are very strong here, at present),

I must pray your assistance in procuring men for the ships, which are very deficient, occasioned by sickness ; and if not completed, may be of the greatest prejudice to the nation.

I shall not doubt of your assistance in this, as I have His Majesty's directions for applying to you ; and if men can be supplied for the fleet, without impressing, you may be assured the vessels belonging to your government shall pass unmolested ; only in case any vessel is found carrying off seamen from the men of war, or transports, clandestinely, (as I, myself, know they have frequently done), the consequences will be greatly to their prejudice ; and they must submit to what will follow. I must pray your enforcing this, in the strongest manner ; and am, sir,

Your most obedient, humble servant,

FRA: HOLBURNE.

To the Governor and Company of His Majesty's colony of Rhode Island, in America.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on Monday, the 13th day of June, 1757.

The Hon. William Greene, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, there are a number of French prisoners confined within this colony, and supported at the expense of the public,—

This Assembly, therefore, do vote and resolve, and it is voted and resolved, that His Honor the Governor, or His Honor the Deputy Governor, be, and they and each of them are, and is hereby empowered to permit the said French prisoners to go unto Europe or the West Indies ; that is to say : one or two in a vessel, as mariners, and at such wages as they shall agree for.

This Assembly do vote and resolve, and it is voted and resolved, that John Tillinghast and Daniel Coggeshall, Esqs, Mr. Joseph Lippitt and James Sheffield, Esq., be, and they hereby are, appointed a committee to audit the accounts of the committee of war, and make report unto this Assembly during their present session.

An Act to further prevent the inhabitants of this colony from carrying on any trade or commerce with the French.

Whereas, the laws that have been heretofore made for preventing the inhabitants of this colony from carrying on trade with the French, now at open war with our most gracious sovereign, have been found so far from being sufficient, that several have trafficked and carried on commerce with the subjects of France, under the pretence of going to a Spanish port, called Monti Christo, upon the island of Hispaniola, which is but a few leagues distant from the French settlements upon that island ; for preventing whereof, in time to come,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that from and after the publication of this act, if any person or persons shall proceed out of any port or place in this colony, in a ship or other vessel, unto the island of Hispaniola, or any port, harbor, creek or haven therein, either as master, merchant or factor, they shall forfeit and pay as a fine, the sum of £10,000, to be recovered by bill, plaint or information, in any court of record within the colony ; one half to and for the colony's use, and the other half unto him or them that shall inform and sue for the same ; and the offender shall also suffer one year's imprisonment in His Majesty's jail, without bail or mainprize.

And furthermore, the ship or vessel in which such person or persons go or return from the island of Hispaniola, shall be forfeited, together with her cargo ; one half to and for the colony's use, and the other, unto him or them, who shall inform and sue for the same. And this act shall be in force during the continuance of the present war, and no longer.

Whereas, sundry inhabitants of Prudence Island, in the county of Newport, preferred a petition, and represented unto this Assembly, that as they live upon an island, in the township of Portsmouth, which lieth at a considerable distance from the said town of Portsmouth, whereby it hath oftentimes happened that the weather hath proved so tempestuous upon a training day, that they have not been able to get unto Portsmouth, as their duty required, which subjected them to great

difficulties ; they pray to be erected and made into a company or trained band, and have proper officers to command them ; in consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the inhabitants of the said Prudence Island be, and they hereby are, created and made a company or trained band, to be distinguished and called the second company or trained band of the town of Portsmouth, and for the future, shall be under proper officers.

And accordingly, this Assembly do choose and appoint John Allen, Jr., captain ; Caleb Hill, lieutenant ; and Joshua Allen, ensign, of the said second company or trained band of the town of Portsmouth.

Whereas, John Tillinghast and Daniel Coggeshall, Esqs., Mr. Joseph Lippitt and James Sheffield, Esq., were, by this Assembly, at the beginning of the present session, appointed a committee to audit the accounts of the committee of war, and make report thereon, before the rising of this Assembly ; and whereas, the major part of the said committee, having entered upon that service, presented the report following :

Report of the Committee.

We, the subscribers, being appointed a committee to examine and see what sums of money the committee of war hath received of the general treasurer, that they ought to account with the government for, do report, that—

| | £ | s. | d. |
|---|---------|----|----|
| Stephen Hopkins, Esq., hath received..... | 132,618 | 10 | 8 |
| Daniel Jenckes, Esq. | 102,208 | 16 | 8 |

What the other gentlemen of the committee of war have received, consists of such a number of draughts on the treasurer, that we apprehend we cannot report this session.

DANIEL COGGESHALL,
JOSEPH LIPPITT,
JAMES SHEFFIELD.

June 16th, 1757.

And this Assembly, having taken said report into consideration,—

Do vote and resolve, and it is voted and resolved, that the same be, and is hereby, accepted.

Whereas, Obadiah Brown and Samuel Chace, Esqs., and Mr. Joseph Lippitt, were appointed to audit the accounts of the Hon. Stephen Hopkins, Esq., as a member of the committee of war, and having performed that service, presented this Assembly with what followeth:

| | | | |
|---|--|----------------|--------------|
| The colony of Rhode Island, their account with | | | |
| Stephen Hopkins, one of the committee of war, | | Dr. | |
| | | £ | s. d. |
| To sundry articles, as contained and charged in the paper marked | | | |
| No. 1, settled, and vouchers produced | | | 27,739 5 10 |
| | | £ | s. d. |
| To sundry articles charged in lawful money in the same pa- | | | |
| per, No. 1..... | | | 302 10 0 |
| To the charges in the paper No. 2, lawful money | | | 673 08 3 |
| " " " No. 5, " | | | 823 10 0 |
| | | £1,799 08 3 | 23,992 03 04 |
| To cash paid in lawful money of the colony of Connecticut, | | | |
| £493 17s. 11½d., equal to 1,646½ dollars, at £5 15s. apiece, in the | | | |
| paper No. 3 | | | 9,466 08 04 |
| To cash paid sundry persons, as charged in No. 4 | | | 8,415 02 11 |
| " " " " No. 6 | | | 4,524 02 00 |
| " " " " No. 7 | | | 3,311 05 09 |
| " " " " No. 8 | | | 12,350 14 09 |
| | | £89,799 02 09 | |
| To my commissions on £42,005 18s. 2d., audited February 20th, | | | |
| 1756, at two per cent. | | | 840 02 03 |
| To my commissions on the above sum of £89,799 2s. 9d., now au- | | | |
| dited, at two per cent. | | | 1,796 00 00 |
| | | £92,435 05 00 | |
| To a former account, audited 20th February, 1756 | | | |
| | | 42,005 13 02 | |
| | | £134,440 18 02 | |
| Cr. By cash received of the general treasurer at sundry times | | | |
| | | 132,618 10 08 | |

Examined by order of the Assembly, the 15th day of June, 1757.

DANIEL COGGESHALL,
JOSEPH LIPPITT,

JAMES SHEFFIELD.

We, the subscribers, being appointed by the General Assembly, to examine and adjust the accounts of Stephen Hopkins, Esq., as he is one of the committee of war, for the colony of Rhode Island, since the 20th day of February, 1756, have accordingly done the same, he having produced proper vouchers for the sum of £89, 799 2s. 9d.

We therefore report, that he ought to be credited for that sum in his account with the colony. And as to what sums he hath received of the colony's treasurer, we have no knowledge.

Witness our hands, this 29th day of April, 1757.

O. BROWN,
JOS. LIPPITT,
SAM'L CHACE.

And now, this Assembly having taken the premises into consideration,—

Do vote and resolve, and it is voted and resolved, that the said report, be, and the same is, hereby accepted.

Whereas, Mr. Robert Haszard, of South Kingstown, and Capt. John Reynolds, of Exeter, were appointed by the General Assembly, to run the dividing line between these two towns, and erect monuments therein, and the gentlemen having performed that service, presented the following report, to wit :

*Report of the committee appointed to run the boundary line between
South Kingstown and Exeter.*

Whereas, we, the subscribers, being appointed a committee, by the General Assembly of the colony of Rhode Island, &c., on the 20th day of November, A. D. 1756, to run the line between S. Kingstown and Exeter, and erect proper monuments.; and in obedience thereto, we have taken in hand that affair, and do conclude and agree that the said line shall begin in the middle of the highway that leads westward from Eber Shearman's, and opposite to the dividing line between N. Kingstown and Exeter, and run along the middle of said highway, westward, till it comes opposite to a large white oak tree, which is the south-west corner of Jeoffrey Champlin, Jr's. farm, which was formerly Jeoffrey Haszard's farm, and five rods distance south or southward from said tree ; and then beginning at a black oak tree, that has formerly been marked, which is about ten rods from the aforesaid white oak tree, to the southward ; and

run from thence west twenty-seven degrees north ; which line hits the south part of the house where Jonathan Shearman formerly lived ; and so continued that course to the highway that divides Richmond and Exeter, making several monuments in said line.

Witness our hands, the 28th of April, 1757.

**ROBERT HASZARD,
JOHN REYNOLDS, JR.**

And this Assembly, having taken the said report into consideration,—

Do vote and resolve, and it is voted and resolved, that the same be, and is hereby, accepted.

An Act for proportioning a rate of £100,000, old tenor, upon the several towns in this colony ; and for ordering the same to be assessed, levied and collected, before or upon the last day of October next.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the rate of £100,000, old tenor, ordered by the General Assembly to be assessed, levied and collected the 30th day of December next, be, and the same is hereby, ordered to be assessed, levied, collected and paid into the general treasury, before or upon the 31st day of October next.

And be it enacted by the authority aforesaid, that the said rate shall be, and it is hereby proportioned unto the several towns in this colony, in the following manner, that is to say :

[illegible]

| £ | s. | d. | £ | s. | d. |
|-----------------|---------|-------|-----------------|---------|-------|
| Westerly... | 2,528 | 00 00 | Bristol. . . | 2,600 | 00 00 |
| N. Kingstown .. | 4550 | 00 00 | Warren..... | 2,400 | 00 00 |
| S. Kingstown .. | 7,337 | 10 00 | | | |
| Charlestown ... | 1,750 | 00 00 | | £5,000 | 00 00 |
| Exeter | 2,225 | 00 00 | Warwick..... | 4,627 | 00 00 |
| Richmond | 1,525 | 00 00 | E. Greenwich .. | 2,581 | 00 00 |
| Hopkinton. . . | 2,084 | 10 00 | West Greenwich, | 1,646 | 00 00 |
| | | | Coventry..... | 1,646 | 00 00 |
| | | | | | |
| | £22,000 | 00 00 | | £10,500 | 00 00 |

And be it further enacted by the authority aforesaid, that the assessors or rate makers shall, upon their assessing, or apportioning the aforesaid rate, return a true bill, or list of the same, unto the clerk of the town unto which they respectively belong, within forty days after the rising of this Assembly; and the said town clerk is hereby directed to send a copy thereof unto the general treasurer, in four days; who, upon receipt thereof, shall issue his warrant in four days, unto the several collectors of rates of the respective towns, requiring them, in His Majesty's name, to collect and pay unto the general treasurer, for the time being, the several sums to them respectively committed, in order to their collecting the same.

And be it further enacted by the authority aforesaid, that each respective town shall pay all the charges and fees that shall arise in, or upon the assessing and collecting its part of the aforesaid rate or tax.

And it is further enacted, that the poll money in assessing this rate, shall be six pence per £1,000.

And the secretary is hereby directed to send a copy of this act to every town clerk in the colony, within ten days after the rising of this Assembly, to be by said town clerk immediately delivered unto the assessors or rate makers of his town.

And the respective collectors of this rate, are hereby required to use all diligence in collecting the same; and as soon as they have collected any considerable sum of money, to pay

the same unto the general treasurer, so that the whole sums be paid into the treasury by the time in this act limited.

An Act to prevent the commanders of privateers, or masters of any other vessels, from carrying slaves out of this colony.

Whereas, it frequently happens that the commanders of privateers, and masters of other vessels, do carry off slaves that are the property of inhabitants of this colony, and that without the privity or consent of their masters or mistresses; and whereas, there is no law of this colony for remedying so great an evil,—

Be it therefore enacted by this General Assembly, and by the authority of the same, it is enacted, that from and after the publication of this act, if any commander of a private man of war, or master of a merchant ship or other vessel, shall knowingly carry away from, or out of this colony, a slave or slaves, the property of any inhabitant thereof, the commander of such privateer, or the master of the said merchant ship or vessel, shall pay, as a fine, the sum of £500, to be recovered by the general treasurer of this colony for the time being, by bill, plaint, or information in any court of record within this colony.

And be it further enacted by the authority aforesaid, that the owner or owners of any slave or slaves that may be carried away, as aforesaid, shall have a right of action against the commander of the said privateer, or master of the said merchant ship or vessel, or against the owner or owners of the same, in which the said slave or slaves is, or are carried away; and by the said action or suit, recover of him or them, double damages.

And whereas, disputes may arise respecting the knowledge that the owner or owners, commanders or masters of the said private men of war, merchant ships or vessels may have of any slave or slaves being on board a privateer, or merchant ship or vessel,—

Be it therefore further enacted, and by the authority aforesaid, it is enacted, that when any owner or owners of any

slave or slaves in this colony, shall suspect that a slave or slaves, to him, her or them belonging, is, or are, on board any private man of war, or merchant ship or vessel, the owner or owners of such slave or slaves may make application, either to the owner or owners, or to the commander or master of the said ship or vessel, before its sailing, and inform him or them thereof; which being done in the presence of one or more substantial witness or witnesses, the said information or application shall amount to, and be construed, deemed and taken to be a full proof of his or their knowledge thereof; provided, the said slave or slaves shall go in any such ship or vessel.

And be it further enacted by the authority aforesaid, that if the owner or owners of any slave or slaves in this colony, or any other person or persons, legally authorized by the owner or owners of a slave or slaves, shall attempt to go on board any privateer, or a merchant ship or vessel, to search for his, her or their slave or slaves, and the commander or master of such ship or vessel, or other officer or officers on board the same, in the absence of the commander or master, shall refuse to permit such owner or owners of a slave or slaves, or other person or persons, authorized, as aforesaid, to go on board and search for the slave or slaves by him, her or them missed, or found absent, such refusal shall be deemed, construed, and taken to be full proof that the owner or owners, commander or master of the said privateer or other ship or vessel, hath, or have a real knowledge that such slave or slaves is, or are on board.

And this act shall be forthwith published, and therefrom have, and take force and effect, in and throughout this colony.

Accordingly the said act was published by beat of drum, on the 17th day of June, 1757, a few minutes before noon, by

THO. WARD, Secretary.

Whereas, there are two books in the secretary's office, which were provided for registering letters received from or sent to the agent, but have not yet been used,—

It is therefore voted and resolved, that the said books be applied, one for recording all the letters that the colony hath received from the crown, or others, concerning the affairs of the government ; and the other for registering such letters as the colony hath sent abroad ; but that the secretary go no further back than the packets for declaring the present war, and other papers and letters since.

This Assembly do vote and resolve, and it is voted and resolved, that the rate of £100,000, be forthwith proportioned unto the several towns ; and that a committee be appointed to draw up an act before the rising of this Assembly, in order to settle and adjust the said proportion.

Whereas, the General Assembly, at their session in Providence, on the first Tuesday in February last, appointed a committee to build a sloop for protecting the trade, &c., at the expense of the colony ; and this Assembly having better considered of that matter,—

Do vote and resolve, and it is voted and resolved, that the vessel now building at Providence, in consequence of the above mentioned vote, shall be made into a brigantine.

Whereas, Messrs. William Richards and John Coddington, both of Newport, in the county of Newport, merchants, in company, and owners of the private man of war, called the Abercrombie, commanded by Capt. Joseph Rivers, which was lately taken into the colony's service by His Honor the Deputy Governor, exhibited unto this Assembly an account by him charged against the government, for the hire of their said vessel, and for necessaries expended in a cruise lately made out of the harbor of Newport, by the said brig, in order to take a French privateer which His Honor had been informed was hovering about the coast of this colony, and had made one or more captures ; and the said account being duly examined,—

This Assembly do vote and resolve, and it is voted and resolved, that £290, the balance thereof, be allowed and paid the said William Richards and John Coddington, out of the general treasury.

This Assembly do vote and resolve, and it is voted and resolved, that the general treasurer be, and hereby is, directed to hire a sum of silver money sufficient to pay the colony's commissioners that waited upon His Excellency the Earl of Loudoun, at the congress held in Boston, the last winter.

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war be, and hereby are, requested to agree with a good doctor, upon the best terms they can, and send him up to the forces raised by this colony, as soon as they can; and that six shillings and eight pence, New York currency, be added to the monthly wages of the soldiers in the colony's pay; that the said addition be paid the said soldiers weekly, by equal payments, to enable them to purchase such small stores as have not yet been allowed them; that the committee of war send such goods to New York, or Albany, as they shall think best; to raise the money for the commanding officer to pay the additional wages and send a further supply of medicines to the camp, when they shall find it necessary.

And that His Honor the Governor be, and hereby is, requested to answer Col. Angel's letter, and inform him that by the encouragement which this government received from one of His Majesty's principal secretaries of state, and His Excellency the Earl of Loudoun, it was expected the transportation of the baggage and camp furniture would be at the King's charge, and that our sick should have the same care taken of them as the regulars.

This Assembly do vote and resolve, and it is voted and resolved, that Mr. Joseph Lippitt be, and he hereby is, appointed to receive of the Hon. Stephen Hopkins, Esq., late Governor of this colony, all papers and letters of a public nature, belonging to the government, which he has in his hands, and deliver the same unto His Honor, the present Governor.

An Act to prevent the soldiers in the pay of this colony from embezzling and destroying the arms which they have been furnished with, at the expense of the government.

Whereas, this colony hath been greatly injured by the troops

in former campaigns, embezzling and destroying their arms ; for preventing whereof, for the future,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the committee of war be, and they hereby are, strictly enjoined to require an account of every soldier returning from the camp, without his arms, what became of them ; and if the soldier or soldiers so returning, either by furlough or discharged, do not bring a certificate from the captain of the company unto which he or they belonged, that he or they have delivered up his or their arms in good order unto the said captain, or to the person or persons that may be appointed for that purpose, before his or their leaving the camp, that the said committee of war deduct out of the wages of such soldier or soldiers, the full value of such arms as he or they were furnished with ; and that a copy of this act be forthwith sent unto the commanding officer of the troops of this colony ; and that the said commanding officer inform the troops of the contents of this act.

Whereas, Samuel Ward, of Westerly, in the county of Kings county, preferred a petition, and represented unto this Assembly, that Stephen Hopkins, of Providence, in the county of Providence, Esq, commenced an action of defamation against him, laying his damages at £20,000, which action, according to the tenor of the writ, was to have been tried at the inferior court of common pleas, to be holden at Providence, within and for the county of Providence, the third Tuesday of this instant June ; upon which, the petitioner knowing Mr. Hopkins to have a great many relations, and a very extensive influence in the county last mentioned, and imagining upon that account, that the trial would not be so impartial as it ought to be ; and being also threatened with regard to his life, preferred a petition to this Assembly, at their last session, that the hearing and trying of the said action might be removed to some other county within this colony ; upon which, it was voted, that the said petition should be referred unto this present session ; that the adverse party should be served with a copy thereof and cited to appear and answer at this time ; and that

all further proceedings in the said case should be stayed in the mean while ; and accordingly, the said Samuel Ward caused the said Stephen Hopkins to be served with a copy of his said petition, and the votes of the General Assembly thereupon, with a citation, as usual, in such cases ; but he, the said Stephen Hopkins paying no regard to the said act of the General Assembly, for stopping all further proceedings, hath entirely evaded the force thereof, by withdrawing the action aforesaid, and commencing a new one against the petitioner for the same cause ; and hath filed a declaration to the court, aforesaid.

Wherefore, the said Samuel Ward prayed that for the reasons aforesaid, and such others as may be rendered, the hearing and trying of the said action may be removed from the county of Providence, to some other, in order to a fair and impartial trial.

And the parties being present here in court, did, by a writing under their hands, agree, that in case the said Samuel Ward shall appear at Rehoboth, in the Province of the Massachusetts Bay, on or before Thursday, the 23d of this instant June, and give the aforesaid Stephen Hopkins an opportunity to arrest him there, then he, the said Stephen Hopkins, shall withdraw his action brought against him, the said Samuel Ward, at Providence court, and not bring another against him in this colony, for the same cause ; and the said Samuel Ward shall not plead any plea to the action brought against him in the Massachusetts that is founded on his being sued out of the colony where he dwells ; each party having the full advantage of the laws of the said Province ;—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that the agreement so made by the said Sam'l Ward and Stephen Hopkins, be, and the same is hereby, allowed and approved.

God save the King.

Governor DeLancey of New York to Governor Greene.

New York, 3d June, 1757.

Sir :—Yesterday evening, Sir Charles Hardy embarked to fall down to Sandy Hook, to take under his care the transports with the troops ; and has left the administration of this government in my hands, as Lieutenant Governor. You will therefore be pleased to direct your letters to me accordingly, if any thing should occur, in which I may be able to further His Majesty's service.

The embargo is to be continued here, till at least a week after the departure of the transports from Sandy Hook, of which you shall have timely notice ; the reason of this measure is, that no knowledge of their sailing may fall into the enemy's hands before the junction at Halifax, where they will have the protection of the fleet under Mr. Holburne.

I am, sir,

Your most obedient and most humble servant,

JAMES DE LANCEY.

To the Governor of Rhode Island.

Lord Loudoun to Governor Greene.

New York, June 5th, 1757.

Sir :—As the fleet is now ready to sail, I take this opportunity to acquaint you, that in conjunction with Sir Charles Hardy, we have agreed that the embargo should not be any longer continued on account of the service we are now going on, than seven days after we are sailed from this port ; but we think it absolutely necessary that it should be continued so long, in order to prevent the enemy from having intelligence of our motion, from any ships they might take ; and it will not be taken off here any sooner.

I shall leave my letters with Lieutenant Governor DeLancey, to be forwarded to you as soon as we sail.

I am sorry to find, by letters from Major General Webb, that the whole of your troops arrived at Albany without arms ; and am surprised that my first account of that should come from the general commanding on that frontier, so near to the enemy, without having any account of it, either from you, or the officers who commanded those troops ; most of whom were with me, as they passed New York ; and the more so, that the Province have at this time, three hundred of the King's arms in their possession ; and that by the secretary of state's letter to you, it is insisted on, that the provinces should arm the troops raised by them.

As I had no notice of this want, the supplying of it has occasioned a good deal of inconvenience ; and as I have His Majesty's orders, to take care of, and call in all the arms he has sent to this country, for the defence and security of his dominions and subjects, I must insist on those arms being immediately sent to Albany, to replace those issued for the use of the troops from your province ; and to prevent His Majesty's good intentions from being frustrated by the embezzlement of the arms so liberally sent for the defence of his subjects in this country.

I am likewise under a necessity of acquainting you, that I have certain accounts of many vessels from the ports of your province, having traded with, and supplied the enemy in their own ports, even during the present embargo.

I hope you will cause inquiry into this, and bring the offenders to condign punishment; as it is directly contrary to law, and the means by which the enemy are enabled to support their own colonies, and distress, both the provinces in North America, and the mother country.

I am, with great respect sir,

Your most obedient, humble servant,

LOUDOUN.

To the Governor of Rhode Island.

Order from the Lords Commissioners, &c., to the Governor and Company of Rhode Island.

Whitehall, June 9, 1757.

Gentlemen:—His Majesty having, in pursuance of an address to the House of Commons, of the 25th of last month, commanded us to lay before that House, in the next session of Parliament, an account of the iron made in His Majesty's colonies in America, from Christmas, 1749, to 5th of January, 1756, distinguishing each year; we desire you will, forthwith, upon the receipt of this letter, take the proper and most effectual method for obtaining the said account, so far as relates to the colony under your government, and transmit the same to us, with all possible expedition.

We are, &c., &c.,

SOAME JENYNS,

JAMES OSWALD,

W. SLOPER,

W. G. HAMILTON.

DUNK HALIFAX,

To the Governor and Company of Rhode Island.

Major General Webb to Governor Greene.

Albany, June 9, 1757.

Sir:—Your favor of the 10th of last month, I am to acknowledge, and should have answered sooner, but that the hurry of business I have till now been in, has prevented me.

Should His Majesty's service require a reinforcement of troops from the different colonies, I shall apply to you for the quota raised by your province, and doubt not but they will be in readiness to march at the shortest notice.

As the forces belonging to the Rhode Island government now here, are not supplied with a surgeon, or armorer, I flatter myself I need not urge to you the necessity of their being provided with both, by the first opportunity; His Majesty's service, as well as the interest of the colony, demanding an immediate compliance therewith.

* * * * *

Col. Angell having informed me that the troops raised by the colony of Rhode Island, were promised some indulgencies, such as rum, molasses, &c., I cannot help

thinking that the neglect of supplying them, therewith, according to promise, may occasion a discontent amongst them that may be attended with bad consequence ; but shall leave it to your own judgment to determine.

I am, sir, with great regard,

You most obedient, and most humble servant,

DAN. WEBB.

To William Greene, Esq.

Col. Samuel Angell to Governor Hopkins.

Flats, near Albany, 10th June, 1757.

Sir :—Since I arrived at Albany, I have waited on General Webb several times ; at which times, he made particular inquiry of the condition of the Rhode Island troops, which he finds deficient in many things, which he admires at ; and more particularly at their sending no surgeon ; for he informs me, that we can't expect any service from the surgeons of the regular troops ; and that if any of our men go into the hospital, they must pay five pence sterling, per day.

He also advised me to send an express, that might arrive before the General Assembly rises from their next session.

He also informs me that the government must be at the expense of transporting all their baggage and camp furniture ; but that he will let us have carriages when he has them to spare ; but to be charged to the colony.

So that it is uncertain whether I shall have the King's wagons or not ; if not, there will want a considerable sum of ready cash ; as the most of the £200 I had orders to draw, will soon be expended ; for it takes more than the one-half for repairing of the arms, which I found in a most miserable condition, and not a number sufficient by seventy-odd ; for the which seventy, I must give my indenture, for to see them returned in good order, or the value in cash.

As I expect to give such security, in order that the colony's troops may be well armed, I shall think hard if they do not make provision that I may be secure against all casualties, except my own bad conduct, which I expect to be accountable for, to the government, if I return ; if I should die, and be killed in the campaign, and nothing done by the colony, on the aforesaid account, my estate would be obliged to pay for all not returned.

Another very particular affair, that causeth great uneasiness amongst our troops is, their being cut off from most of the small stores promised them by proclamation, as in foregoing campaigns The effect of the foregoing misfortune, I am afraid will cause many of our men to desert. An example of the kind began two days ago, by three of our men, the names of which I shall send to the committee of war, in order that they may be detected.

In regard to the deficiency of the colony's quota of men, General Webb, I expect will write to you, (by Lieut. Tew, who is the bearer of these,) on that account ; for which reason I shall be silent, only with making a return of the troops, as they now are.

I must recommend to you, and the gentlemen of the upper and lower houses of Assembly, that it is absolutely necessary that the speediest and best method be taken to prevent the before mentioned difficulties, which I make no doubt but

when Your Honor and the other gentlemen of the Assembly take into consideration, you will make proper provision, that there will be no reason of complaint either from officer or soldier.

The latest intelligence that has been of the enemy, is by a sergeant, that was taken in Roger's fight, that had made his escape from Montreal, eighteen days ago, which is as follows : that at Canada, they are extremely scarce of provisions, and have no bread, but what is made of peas and oats ; that meat is two livres per pound ; and that they had sent eighteen hundred regular troops to Crown Point, this spring. No more, but remain,

Your most obedient, and most humble servant,

SAM. ANGELL.

To the Hon. William Greene, Esq.

Jan de Wendt, Governor of St. Eustatius, to the Governor of Rhode Island.

St. Eustatius, June 14th, 1757.

Sir:—I am to acquaint you, that one Isaac Hopkins, commander of a private brigantine of war, fitted out of your colony, did, on Monday night, May 29th last, (in company with one Richards, of Antigua,) seize and carry off a ship with a valuable cargo, belonging to gentlemen in this island, who are proper subjects to the States of Holland.

And notwithstanding they took possession of her in sight of an English port, viz : Basseth, St. Christopher's, into which they might have carried her, in a few hours ; yet, finding all her papers and proceedings regular, I suppose despairing of success in that port, they carried her away for Anguilla, twenty leagues distant, in hopes, no doubt, of taking some advantage from the inexperience of persons in trust there, in regard to the laws ; but the judge, it seems, refused to libel the ship, without first sending up to Antigua, for the advice of counsel.

Upon this, they concluded to despatch a vessel to Antigua, for this purpose ; and advised Capt. Bappel, in the mean time, (pretending to take no manner of advantage of him,) to go up to St. Eustatius, and advise with the other owners, telling him that he need not hurry himself, for that it would be four or five days before they could get an answer from Antigua ; and that, that would be time enough for him.

This, Your Honor will see, by their after behaviour, was a concerted scheme, to have an opportunity of running away with the vessel, (and which it seems they accomplished the very next day after Capt. Bappel left them,) to so distant a part of the world as yours ; hoping, no doubt, by this means, to prevent the owners having an opportunity of pursuing them before they could accomplish their clandestine designs ; (I might have said piratical), for I look upon their running away with her, from one English port to another, in the manner they have done, to bear but little better aspect.

I have, therefore, in duty to my lords and masters, and in justice to their subjects, under my government, granted a flag of truce to Capt. Corns. Bappel, the late master of the ship, and part owner, to proceed to your colony (whither Richards informed him, Hopkins has sent her), in order to demand the restoration of said ship and cargo ; and am to request that Your Honor will afford him all the protection and assistance in your power, for the recovery of his just right ; and in case his papers and proceedings are regular, and agreeable to the treaty subsisting be-

tween the crown of England and the States General, as I am satisfied you'll find them, that he will have an immediate delivery of said ship and cargo; and that you will protect him in the recovery of all the damages he has sustained from those who have injured him, or their sureties.

I doubt not Your Honor will think it incumbent on you, from the authority of the station in which you are placed, to see justice rendered in a particular manner to strangers; and if any thing of the like nature ever comes within the verge of my authority, I will convince you of my disposition to do the same.

I can't but take this opportunity likewise to acquaint Your Honor, of the cruel treatment I myself have lately met with, from a privateer out of your colony, (whereof Nathaniel Sweeting was commander,) in having a snow taken and carried in to New Providence; the cargo of which, *being my own property*, they have condemned, *as French*, without having any other evidence for it, (as appears by the statement of the case sent me, under the judge's authority,) than its being consigned to a Frenchman.

They also condemned four thousand nine hundred and fifty pieces of 8/8., in cash, the property of the owner of the snow, in Holland, for no other reason than that the master did not sign bills of lading for it in *St. Eustatius*, and having the money secreted in his cabin; which I suppose the master did, for fear of any embezzlement from the sailors; for he himself swore to its being the property of the owner of the snow, Mr. Neuville, a Dutch merchant, in Amsterdam.

Such proceedings as these, against neutral powers, upon a legal trade, will not bring any honor on the English government; and when they are properly represented, as they shall be, and come to appear before higher powers, will, no doubt, meet with their just resentment; and the owners of that privateer may rely upon it, I will never give the point up, 'till I have justice done me.

I am, etc., etc., JAN DE WENDT.

To the Governor of Rhode Island.

Major General Webb to Governor Greene.

Fort Edward, July 30, 1757.

Sir:—The present exigencies of the service, from the motion of the French this way, with a large army, and the weakness of the several provincial regiments from death, sickness and other casualties, requiring the immediate reinforcement of the quota each province is to furnish upon my application, agreeably to the instructions received by the different governors, from His Excellency the Earl of Loudoun, I must desire you will, immediately on the receipt of this, give orders for the march of the one hundred and fifty men, the colony of Rhode Island have thought proper to furnish in the emergency, forthwith to Albany, that we may oppose the enemy in the best manner we possibly can.

As the least delay may be of the greatest consequence to His Majesty's colonies I must beg they may move up with the utmost expedition.

Upon their arrival at Albany, Capt. Christie, quarter master general, has my orders to supply them with every thing they may want, for their further march to this place

I am, sir, with great regard,

Your most obedient, and most humble servant,

DANIEL WEBB, Major General.

To the Governor of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the 10th day of August, 1757.

The Hon. William Greene, Governor.

The Hon. John Gardner, Deputy Governor.

An Act for raising one-sixth part of the militia in this colony, to proceed immediately to Albany, to join the forces which have marched, to oppose the French, near Lake George.

Whereas, a number of men is demanded of this colony, by the commanders of His Majesty's forces, near Lake George, for the relief of Fort William Henry, which is invested by a large body of French and Indians; in compliance with the said demands, and to the end that every thing in the power of this colony may be done for the preservation of the country,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that one sixth part of the whole militia of this colony, be forthwith raised and sent to Albany, with all possible despatch, to be under the command of the commander in chief of His Majesty's forces, near Lake George, and to continue in the service as long as the immediate preservation of the country requires their stay there, and no longer; and the said men shall be formed into regiment, and be commanded by one colonel, two lieutenant colonels, one major, and one of the commissioned officers of the respective companies in this colony.

And for the more easy and expeditious raising the said men,—

Be it enacted by the authority aforesaid, that His Honor the Governor, forthwith issue his warrants to the proper officers, to call together all the companies of horse and foot in this colony, on or before Monday, the 15th day of this instant August, at twelve of the clock, on said day, at one place of rendezvous,

in each respective town ; and all the following officers shall be included in the lists out of which said sixth part is to be drawn, that is to say : all fence viewers, supervisors of highways, field drivers, pound keepers, constables, wood-corders, sealers of weights and measures, inspectors of wood-corders, sealers of leather, viewers of hoops, staves and heading, and gaugers, not otherwise excused by law.

Be it further enacted by the authority aforesaid, that the names of all persons in the list of each company, shall be written on a scroll of paper, and rolled up, and then put into a hat or box ; and one sixth part thereof, shall be drawn, (unless the company agree that the commissioned officers shall press said sixth part,) and the persons whose names shall be so drawn or pressed, shall go on this service.

Provided, nevertheless, that any person drawn, who declines going, and shall immediately procure an able bodied, effective man to go in his room, shall be excused ; but no person shall be excused without.

Provided, also, that no person's name be put into the hat or box, who, through sickness or lameness, cannot go, or who was out of the government before the meeting of this Assembly.

And be it further enacted by the authority aforesaid, that the commissioned officers of each and every company in this colony, both horse and foot, if they cannot agree among themselves, who shall go, shall determine the same by lot, at the time of drawing the men ; and the officer or officers so drawn, shall be obliged to go in the said regiment.

And be it further enacted by the authority aforesaid, that any field or other commissioned officer, who shall neglect to do his duty, either in calling the companies together, or otherwise, shall forfeit and pay as a fine, the sum of £1,000, to and for the use of the town in which he resides ; to be levied by distress of his goods and chattels, by the sheriff or one of his deputies, by a warrant from the Governor, Deputy Governor, one of the assistants or judges of the superior or inferior courts.

And any person, who being appointed by his commissioned

officers, to warn in the company, shall neglect to do his duty, shall forfeit and pay as a fine, the sum of £500, which shall be recovered in manner abovesaid, by the commissioned officers, and be by them duly paid into the town treasury, to and for the use of the town.

And any person being duly warned by beat of drum, or leaving notice at his place of abode, six hours before the time of meeting, which shall be deemed sufficient warning, who shall not appear at the time and place to which he is warned, shall forfeit and pay as a fine, £100; to be recovered in manner as abovesaid, by the commissioned officers, and paid into the town treasury, to and for the use of the town.

And the several town treasurers are hereby authorized and fully empowered, to sue, and recover of any commissioned officer, any fine which he shall neglect to levy and pay into the town treasury, which by this act ought to be paid into the same.

And be it further enacted by the authority, aforesaid, that the deputies of the several towns be, and they are hereby, empowered to procure, at the expense of the colony, half a pound of gun powder, twenty bullets, six flints, and seven days provisions, for each soldier going upon the present emergency; and they are further empowered and directed, to hire horses for the men, and to procure arms, and all other necessities, in the like manner.

And if the said arms, horses, or any other necessities cannot be procured but by an impress, the deputies are hereby fully empowered to press each and every article which they shall have occasion for, to forward the said men; they taking and keeping an exact account of what they shall procure of any man, that the same may be paid for by the colony; provided, any deputy who is a captain, or who on any reasonable account, cannot attend the above service, may appoint some proper person to do the same in his stead; and the said person so appointed, is hereby required and fully empowered to perform the same.

And be it further enacted by the authority aforesaid, that

any person, although not belonging to the militia, who shall go in this service, shall, upon his return, receive the same pay or reward which shall be given to those of the militia who go.

And be it further enacted by the authority aforesaid, that John Andrews, Esq., be colonel ; Maj. Joseph Wanton, Jr., lieutenant colonel ; Maj. Henry Babcock, second lieutenant colonel, and Mr. Stephen Potter, major of the regiment.

And be it further enacted by the authority aforesaid, that each officer and soldier, who has a horse fit to carry him to Albany, shall make use of his own horse ; and those persons that have none shall be supplied with horses by the deputies, as above directed ; and each person, whose horse goes in the present service, shall be paid for the use of the same ; and in case any horse be lost, or any way rendered unfit for service, the owner of such horse or horses, shall be paid by the colony for the same ; and for the end, aforesaid, the deputies of the several towns are hereby directed to cause an estimate of said horses to be taken.

And be it further enacted by the authority aforesaid, that each and every commissioned officer, and soldier, who has a gun fit for service, shall make use of the same ; and those who have none, shall be provided for. And each and every officer and soldier shall take a blanket with him, if he has any that can be spared from his family ; if not, those who are deficient shall be furnished in the manner aforesaid.

And be it further enacted by the authority aforesaid, that all the officers and men raised in the counties of Newport, Providence, Bristol and Kent, do rendezvous at Providence, on Tuesday next, and march from that place on the same day, as fast as they arrive there ; and those officers and men who are raised in the county of Kings county, are hereby directed to rendezvous at Little Rest Hill, in South Kingstown, on the said Tuesday ; and to march from the said place, in companies, as fast as they arrive there.

And be it further enacted by the authority aforesaid, that the general treasurer be, and he is hereby empowered and directed, to hire the sum of £5,000, old tenor ; and \$1,500, for

the purposes, aforesaid ; and he is also empowered to hire what money may be necessary for the support of the said men, during their continuance in the said services.

And the committee of war is hereby authorized and fully empowered to act and transact all and every thing or things, necessary for carrying this act into execution, during the recess of this General Assembly, with full power to seize any provisions or other stores, which may be necessary for the said men.

And be it further enacted by the authority aforesaid, that all persons who go in this present expedition, shall be properly rewarded by the colony, for their service.

And be it further enacted by the authority aforesaid, that all and every officer and soldier, that shall be drawn, as aforesaid, and ordered to go, or who shall enlist, shall be, and hereby is, acquitted and discharged from any writs of execution, and writs of arrest, till they return again ; and their bail and the sheriff shall be acquitted for any sum whatever.

And be it further enacted, that if there should be any further express or expresses from Major Gen. Webb, demanding more men, during the recess of the General Assembly, that His Honor the Governor, with the advice of his Council, if they think it necessary, give orders for the raising and sending forward so many men as they think proper, in the same manner, (and to be draughted out of the militia,) as those are in this act. And that all officers and soldiers shall be subject to the orders given by His Honor for that purpose, as they are by this act ; and for their neglect or refusal, shall be subject to the same fines and penalties as above expressed in this act.

And be it further enacted by the authority aforesaid, that copies of this act be immediately sent by express to the first deputy of the several towns ; and to each of the colonels in this colony.

Protest.

“We dissent from the within act, because the method proposed for raising the men, operates only upon a particular part

of the government ; when, in our opinion, it ought to extend to the whole, upon such an emergency as the present.

JOSEPH WANTON, JR.,
WILLIAM BAILEY."

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war immediately send a quantity of gun powder, balls and flints, sufficient to furnish every soldier, who by this act made and passed the present session, is obliged to proceed to Albany, &c. ; that is to say : the said gun powder, balls and flints, shall be sent unto the counties of Providence, Kings county and Kent.

That the said committee of war also procure a quantity of sea bread, sufficient to serve all and every of the said officers and soldiers seven days ; and send a small vessel to Albany, laden with so much provision and other stores, as they shall think necessary for the troops of this colony, that are ordered to march unto that place.

And it is further voted and resolved, that three or more men, be appointed in each county of this colony, save Bristol, which is to send but one, to take care of the horses the officers and soldiers shall ride ; that the said men be appointed by the deputies of the several counties ; who shall return the names of the men whom they appoint, to the colonel of the regiment ; that the committee of war send a doctor with the regiment that shall be raised and sent to Albany ; and that the said committee of war procure and send one or more proper person or persons (unless one of the said committee shall go in person,) to proceed with the forces, and pay off the charges and expenses that shall arise in their march to Albany ; and that the said committee of war be accountable for the money they shall receive for that purpose.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that an act made and passed by this General Assembly, at their session holden at Newport, on the first Wednesday of May last, entitled " An act for empow-

ering His Honor the Governor, upon demand being made by Major General Webb, or the commanding officer for the time being, to raise, and forthwith send, one hundred and fifty men to his assistance," and the act made and passed at this present session of Assembly, entitled "An act, in addition to an act, made and passed by this Assembly at their session begun and holden in Newport, on the first Wednesday of May last, entitled 'An act for empowering His Honor the Governor, upon demand being made by Maj. Gen. Webb, or the commanding officer, for the time being, to raise, and forthwith send one hundred and fifty men to his assistance,' be, and the said acts are hereby, annulled and repealed.

This Assembly do vote and resolve, and it is voted and resolved, that the General Assembly which stood adjourned unto the fourth Monday of this instant August, be, and the same is hereby, adjourned unto the third Monday of September next; and that all business lying before them unfinished, be, and hereby is, referred unto the said time.

God save the King.

Governor Pownall to Governor Greene.

Boston, August 4, 1757.

Sir:—The persons named in the enclosed list, bearers of this letter to Your Honor, are the artificers employed by Mr. Shirley, at Oswego; were taken prisoners there; carried thence to Quebec, and from Quebec sent in a cartel ship to England.

Upon application to the lords of the admiralty, in behalf of these poor people their lordships, in consideration of their services and sufferings, were pleased to direct that they should be borne on board several of His Majesty's ships and take their passage therein, to their own country. They are recommended to me. I cannot but esteem it my duty to do every thing in my power to assist people who have deserved so well of their country, and suffered in its service. I have therefore advanced them subsistence, to carry them to their respective homes.

It were impertinent in me, to recommend those who belong to the colony of Rhode Island, to Your Honor's care, patronage and protection.

I cannot but presume from the justice of their employers, that there will be no need to seek Your Honor's assistance in helping them to their pay, and other dues, which they claim from those who engaged them in the service.*

In behalf of those who belong to New York, New Jersey and Pennsylvania, I must beg Your Honor's assistance to further them to New York.

I am, with profound respect, sir,

Your Honor's most obedient and most humble servant,

To Governor Greene.

T. POWNALL.

* The following were the Rhode Island prisoners alluded to: John Tarbox, Mat. Thompson, Robt. Hart. Thos. Goddard, Jos. Peterson, Rufus Church, Sam'l Mott, Ed. Channel.

Capt. Christie to Governor Greene.

Albany, August 4th, 1757.

5½ o'clock, forenoon.

Sir:—On Sunday last, by express from General Webb, he apprehended the design of the enemy against Fort William Henry. Accordingly he wrote, and I sent from this, expresses everywhere, to raise the militia, which intelligence was too well grounded; as the signal guns were fired yesterday morning, and the general sent all the men he possibly could spare, previous to that, from Fort Edward.

But the militia hereabouts, notwithstanding the warmest remonstrances, and many expresses sent to their colonels, (the Mohawk River excepted,) have been very dilatory; but they are now beginning to come.

I have several expresses from General Webb, since yesterday, demanding men, with all expedition, as the fate of this country depends upon it. The last, about an hour since, which contains the following paragraph, written to me, by order of the general, and signed by Capt. Bartman, his aid de camp, dated Fort Edward, 3d August, eleven at night:

"I am to acquaint you, that Fort William Henry was this morning invested by a large body of Indians and Canadians; and a little after day break, a large body of boats landed with troops and artillery, within sight of the fort.

A Canadian prisoner, one of our small scouts has just brought in, informs us their number amounts to eleven thousand men, with thirty-six pieces of cannon, and five mortars, at least. All communication is at present cut off between us. There has been a continual firing of artillery and small arms, till a little before sunset, when it ceased; but we know not what has been the issue.

We are in no situation to assist them, not having fifteen hundred men, in all, at this place. You will write to all the governors, by the general's orders, desiring they will immediately send all the force they possibly can; as likewise to the colonels of the militia, as the fate of this colony depends on it."

After the above, sir, I need add no more; but that I am, with respect,

Your most obedient, and most humble servant,

G. CHRISTIE, A. D. Q. M. G.,

Captain in the 4th regiment, commanding in Albany.

To the Hon. William Greene, Rhode Island.

P. S. I sent, the 2d current, an express, with letters to you from General Webb

Capt. Christie to Governor Greene.

Albany, 5th August, 1757.

Sir:—I refer you to my letter yesterday, by express, informing you of Fort William Henry being invested with a large body of the enemy, to the amount of eleven thousand men, thirty-six pieces of cannon and five mortars, or upwards.

I have this moment, another letter, dated the 4th, at eight at night, from Fort Edward, which says the firing of great guns and small arms continued all that day, very briskly, but ceased at sunset, as it had done the day before.

The general once more commands me to acquaint you, that if you do not order your troops in motion, this country must be lost.

I can add nothing further, but that I am, with respect, sir,

Your most obedient, humble servant,

G. CHRISTIE, A. D. Q. M. G.,

Captain in 48th regiment, commanding in Albany.

To the Hon. William Greene, Rhode Island.

Governor Pownall to Governor Greene.

Boston 7th August, 1757.

Sir:—I have just now received by express from Capt. Christie, at Albany, dated the 4th instant, an account that Fort William Henry is actually invested by the enemy. Capt. Christie has transmitted to me, the following paragraph, written to him by order of the general, and signed by Capt. Bartman, his aid de camp, dated Fort Edward, 3d August, eleven at night.

"I am to acquaint you, that Fort William Henry was this morning invested by a large body of Indians and Canadians; and a little after day break, a large body of boats landed, with troops and artillery, within sight of the fort.

A Canadian prisoner, one of our small scouts has just brought, informs us their number amounts to *eleven thousand men*, with thirty-six pieces of cannon, and five mortars, at least. All communication is cut off at present between us. There has been a continual firing of artillery and small arms, till a little before sunset, when it ceased; but we know not what has been the issue.

We are in no situation to assist them, not having fifteen hundred men in all, at this place. You will write to all the governors, by the general's orders, desiring they will immediately send all the force they possibly can; and likewise to the colonels of the militia, as the fate of the colony depends on it."

You will see, sir, by the foregoing account, the necessity of sending a large body of men to reinforce the army, for the saving of the country. I have accordingly given orders to the two regiments in the county of Hampshire, and to one of those in the county of Worcester, to march forthwith, to the extreme frontier of the Province, and there to act as occasion shall require; and I cannot doubt of all the assistance which your government can possibly afford on this extraordinary emergency. I have the honor to be, &c.,

T. POWNALL.

To Governor Greene.

Capt. Christie to Governor Greene.

Albany, August 8th, 1757.

Sir:—I have this moment received an express from General Webb, desiring I would again write you, to forward troops, with all expedition, (which is now the fourth time;) for without an immediate supply, the whole country must be deserted, and given up to the enemy. Nothing but an immediate retreat from Fort Edward, (if you don't put it in the general's power to proceed to the relief of Fort William Henry—which still makes a brave defence—by assisting them with numbers,) can save them from being cut off by the superior strength of the enemy.

I am sure, sir, I can use no arguments with you so strong for relief, as this one

argument, that numbers and expedition will save our country, which is now in the utmost danger.

I write this by order of General Webb, and am with respect,

Your most obedient, and most humble servant,

G. CHRISTIE, A. D. Q. M. G.,

Captain in the 48th regiment, commanding in Albany.

To the Hon. Governor Greene, Rhode Island.

A D V E R T I S E M E N T .

This is to command and require all, and every one of His Majesty's well affected subjects, who are able to bear arms, to repair, with all expedition, to Fort Edward, on Hudson's River, to march with General Webb, to the relief of Fort William Henry, which still stands out, fighting against a large and numerous enemy; which if not speedily relieved, must fall the sacrifice, and the whole province, of course; some of the colonels of the militia have been so remiss in their duty on this occasion.

This method is taken to warn all His Majesty's subjects of their danger.

Given under my hand, at Albany, this 8th day of August, 1757.

G. CHRISTIE, A. D. Q. M. G.

By the general's command.

Capt. Christie to Governor Greene, announcing the fall of Fort William Henry.

Albany, 11th August, 1757.

Five in the morning.

Sir:—Yesterday I informed you that Fort William Henry had capitulated, the day before, in the morning, and that it was in the hands of the enemy. It is some alleviation of our misfortune, that Fort William Henry was commanded by a brave officer, and a man of great honor, Lieut. Col. Monroe, of the thirty-fifth regiment; and well seconded by another of great experience, Lieut. Col. Young.

By the noble and gallant defence they made against such a vast body of French regulars and savages, so well provided with artillery, and who used it with great success without intermission, entitles them to great merit, and does much honor to His Majesty's arms. By an honorable capitulation, they obtained [permission] to march the whole garrison away upon parole, not to bear arms for eighteen months.

Such things we have been strangers to here; but such was the spirit of the commander, and such the ardor of our men, they were not dismayed by numbers, and rather preferred dying to a man, than become prisoners, at the mercy of a savage and cruel enemy, who endeavored to show their disposition upon the rear of the conquered, contrary to their faith, contrary to every principle of honor; they sent a large body, who waylaid the garrison (though the French sent a guard, but gave orders for it to go only a few miles with the garrison,) and killed and scalped a great many, stripped all our brave officers, with many other marks of cruelty, sufficient to rouse this nation from its lethargy; otherwise, the enemy's conquests and cruelty will not end there.

General Webb has not yet been able to muster six thousand men at Fort Edward, where he expects to be attacked every minute—a *small number to save a country*.

Therefore, men properly provided with arms and ammunition, are, as I repeat to you once more, wanted, with the greatest expedition, to prevent the downfall of the British government upon this continent.

I am, with respect, your most humble, obedient servant,

G. CHRISTIE, A. D. Q. M. G.,

Captain in 48th regiment.

To the Hon. Governor Greene, Rhode Island.

P. S. I have just new learned from authority, that of our cannon and mortars, most of them had bursted, and our ammunition near expended, before any proposal was made for a capitulation by the garrison. Col. Young is wounded, and Col. Monro came in stripped, at the head of his brave garrison, to Fort Edward, which is not yet invested.

Governor Pownall to Governor Greene.

Boston, 13th August, 1757.

Sir:—By the enclosed copy of the orders, which I gave to Sir William Pepperell, upon my first hearing that Fort William Henry was invested, and by * * * the letter which I have this day written him, upon receiving an account of the surrender of that fort, and the attack of Fort Edward, (copy of which is also enclosed,) Your Honor will see the measures I am taking for the safety of the country.

I am likewise endeavoring to form a magazine of provisions at Springfield, and a field train of artillery, to be sent up to that part of the country. I have put the whole under the command of Sir William Pepperell, whom I have appointed Lieut. General of the Province; and as soon as the business of the government (which now detains me here, much against my will,) will permit, I propose to go and take the command of them, myself.

I shall hope for Your Honor's concurrence and co-operation in these measures; and as it would be best to have the whole under one general direction, you will consider how far it will be proper for your government to act in conjunction with us on this occasion; and I shall be glad to receive an account from you, of your proceedings from time to time, at this critical conjuncture.

I have the honor to be, sir,

Your Honor's most obedient, and most humble servant,

T. POWNALL.

To the Hon. William Greene, Esq., Governor of Rhode Island, &c.

Governor Pownall's Instructions to Sir William Pepperell.

Province of the Massachusetts Bay.

To Sir William Pepperell, baronet, major general of His Majesty's forces, and lieutenant general of the Province, aforesaid.

You are forthwith to repair to Springfield, or any other part of the frontiers of the Province, where the service shall require, and there to collect the forces now

to be raised for the necessary defence of the country. These forces, or such a number of them, as you shall judge necessary, you are, as soon as may be, to send forward to reinforce the army now under the command of Major General Webb, or any other body of His Majesty's troops that shall be opposed to the enemy.

But if such reinforcement shall by any unfortunate event, be rendered impracticable, or there be no where now remaining or collected any such body to oppose the enemy, (which sad event may God forbid,) you are then to dispose of the forces under your command, in such manner upon the frontiers of the Province, as you shall judge best for the security thereof, and most conducive to His Majesty's service.

You are likewise hereby authorized and directed by yourself, or by any person or persons under you, and specially empowered for that purpose, to furnish provisions, or to contract with any person or persons for the victualling the forces on the most advantageous terms for the Province, and as you from time to time find it necessary; and also to appoint a commissary or commissaries, for the service of such forces.

For the encouragement of the militia, you may assure them that they shall be at liberty to return home immediately after the withdrawal of the enemy; and that they shall be kept a distinct corps as militia, not troops, agreeably to the eleventh section of the mutiny act, and under their own officers, acting in aid and assistance to His Majesty's regular troops.

You have my liberty to open any packets by any express, directed to the Governor or commander in chief, from any officer or officers of the army, or which you may have reason to think contain intelligence of the circumstances of the army, or those of the enemy; causing such packets to be re-sealed with your own seal, and sent forward without delay.

You are to keep me constantly advised of your proceedings.
Boston, 8th August, 1757.

T. P.

Capt. Christie to Governor Greene.

Albany, 14th August, 1757.

Sir:—Last night I had an express from General Webb, with a letter from Capt. Bartman, his aid de camp, in which is the following paragraph, written by the general's orders, dated at Fort Edward, 13th current, viz.:

"And desire you will send to stop the New England, and other militia from proceeding until he can be better [able] to judge from the motion of the French, whether their coming up will be necessary."

From the above, you will judge of the proper measures to be taken with the militia, which can best fulfill the general's intention.

I have few other particulars with respect to the garrison of Fort William Henry, more than I communicated to you in my letter, the 11th current; only I was misinformed with respect to Col. Monroe's coming in; for neither he, nor Col. Young, with a number of other officers, are yet come; but we have hopes they are in the hands of the French. Great numbers of the garrison came into Fort Edward, and many have gone through the woods, towards New England.

All confirm the massacre committed by the Indians, with the connivance of the French; the most barbarous cruelties committed in their sight and presence, contrary to a solemn treaty and capitulation, exchanged between M. Montcalm and

Col. Monroe; wherein, officers and soldiers were to march out, with all their baggage, drums beating, colors flying and one piece of cannon, (a six pounder, which Montcalm made Col. Young a present of, for his gallant behaviour in the lines;) likewise, the capitulation says the garrison should have, for their brave defence, all the honors which that of Minorca had.

Many officers who have come in, have authentic copies of it, which will be a lasting reproach on the French nation, for the most barefaced and barbarous breach of public faith. I am, with respect,

Your most obedient, humble servant,
G. CHRISTIE, A. D. Q. M. G.,
Captain in 48th regiment.

To the Hon. Governor Greene.

Governor Pownall to Governor Greene.

Boston, August 18, 1757.

Sir:—I yesterday countermanded my order that I had given for the troop of horse, and one-fourth part of the militia to march, and shall suspend all my operations till I receive more certain intelligence, or hear further from General Webb; and I have accordingly given General Winslow orders to go upon the road to Springfield, to stop such troops as shall have marched. But it does still appear to me necessary that we do, in concert and co-operation, take some measures for the protection of the frontier, which I hope, before long, to propose to you.

I am, &c., &c.,

T. POWNALL.

To His Excellency William Greene.

Lord Loudoun to Governor Greene.

H. M. ship Winchelsea, at sea, August 18, 1757.

Sir:—I am on my way to New York, with an army, to put a stop to the enemy's progress, and drive them back. I must desire of you, that you will co-operate with your neighboring provinces, in giving every aid in your power, on this occasion of great danger. And as the wind may occasion my coming into the Sound by Block Island, you will give us all the assistance possible, by pilots, and sending of troops to assist us in getting the troops up the Hudson's river.

I am, sir, &c., &c.,

LOUDOUN.

To Governor Greene, of Rhode Island.

Governor Pownall to Governor Greene.

Boston, August 25, 1757.

Sir:—I have this moment received an express from My Lord Loudoun, with letters for the several governors on the continent. He had received my account of the loss of Fort William Henry; and in consequence of that, has added two battalions to the eight he was bringing.

He was off at LeHavre, when he wrote to me, on the 18th inst.; and was proceeding to New York with the utmost despatch; and on his arrival, depends upon the assistance of all the governments.

I should hope, sir, now is the time, if we exert ourselves, that we may engage in offensive and effectual measures, not only to return the blow we have received, but to strike some effectual one, that may prevent the French forever striking such another. I wish you would bear that in mind, to be prepared for something of this sort, upon His Lordship's arrival. However, he must greatly depend on your supplying him with such a number of ox-carts as you can get; and that you will send them forward to Albany, with what hay and fodder they can carry.

I am, sir, Your Honor's most obedient, most faithful servant,

T. POWNALL

To the Hon. Governor Greene.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 19th day of September, 1757.

The Hon. William Greene, Governor.

The Hon. John Gardner, Deputy Governor.

This Assembly do vote and resolve, and it is voted and resolved, that Thomas Arnold and Immanuel Northup, Esqs, Mr. Benjamin Gardner and Major Joshua Clarke, be, and they are hereby, appointed a committee, to inquire what quantities of iron, and out of what materials have been made in this colony, from the 25th day of December, 1749, until the 5th day of January, 1756; and make report unto the General Assembly, at the session to be holden at South Kingstown, within and for the colony, aforesaid, on the last Wednesday of October next, to the end that an account thereof may be transmitted unto the Right Honorable and Honorable the Lords Commissioners of Trade and Plantations in Great Britain, agreeably to a demand by their lordships made in a letter, dated the 9th day of June last.

This Assembly do vote and resolve, and it is voted and resolved, that Jabez Bowen and Daniel Jenckes, Esqs., Capt. Daniel Ayrault, Jr., Mr. Joseph Lippitt, be, and they hereby are, appointed a committee, to examine into the state of the general treasury, in order to discover what the colony is in debt; what charges have arisen on the expeditions undertaken

this year; what bills of public credit emitted since the year 1754, to defray the charges of the late expeditions, are to be sunk, and when, and make report unto this Assembly as soon as may be.

Whereas, Thomas Richardson, Esq., the colony's general treasurer, preferred a petition, and represented unto this Assembly, that by close application and the assistance of five or six expert hands, he hath delivered out the greatest part of the gold and silver lodged in his office, for exchanging of Crown Point bills; that in rendering this service to the public, he hath been in danger of losing his life; his house having been broken open, and he robbed of a considerable sum in plate, linen, and other goods, which he imagines was occasioned by its being publicly known that he had the custody of the money given the government by the King; that he was at great care, trouble and risk, in counting out the gold and silver, in receiving the bills and rendering a just account of the whole; that the great trouble in his house, which began soon after the money was brought from New York, by people's coming constantly to inquire when the exchanging would begin, has continued ever since; and is not at this time quite over; and that he was obliged for carrying on the business, to keep two fires, and use many candles more than was customary in his house; wherefore, he, the said Thomas Richardson, prayed to be allowed a reasonable reward for these, his extraordinary services; on consideration whereof,—

This Assembly do vote and resolve, and it is voted and resolved, that the aforesaid Thomas Richardson shall, and may, pay himself out of the general treasury, the sum of £1,000, old tenor, as a gratuity, for his aforesaid services.

Whereas, His Excellency the Earl of Loudoun, commander in chief of all His Majesty's forces in North America, hath represented unto this government the necessity of his being furnished with a number of rangers, to continue with him for, and during the whole of the approaching winter,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that seventy men, including

officers, of the troops in the pay of this colony, and now in the camp, at or near Hudson's River, be retained there for the purpose, aforesaid, for a term of time not exceeding one year from the day of their enlistment, and formed into a company; that the soldiers shall be drawn out by Samuel Angell, Esq., chief officer, and the five captains of the said troops, or the major part of them; but the said Samuel Angell alone shall have the appointment of officers to command the said company; for which officers, His Honor the Governor, is hereby requested to send Mr. Angell blank commissions.

And be it further enacted by the authority aforesaid, that all the officers and soldiers of the said company, shall be under the immediate command of the Earl of Loudoun.

And be it further enacted by the authority aforesaid, that the committee of war provide and send up a sufficiency of clothing necessary in the winter season, for the troops, at the prime cost, exclusive of one good blanket; which shall be purchased immediately, sent up and given to each soldier, gratis.

And be it further enacted by the authority aforesaid, that the officers and soldiers, as aforesaid, shall be allowed, at the expiration of the time limited by this act, such additional wages as shall be by the General Assembly thought a reward adequate to the service they may be employed in, during the time of their being retained, as aforesaid, and in proportion to the hardships they shall undergo.

Whereas, sundry persons lately confined in His Majesty's jails, in this colony, were taken out of the custody of the several sheriffs, to go in the last expedition, but have not, since the same was over, returned unto the places where they respectively stood committed,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that the respective sheriffs immediately apprehend all persons that were taken out of their custody, as aforesaid; and that they remain in the same state and condition, in every respect, as they were in before the time of their being taken out of custody, as afore.

said; this being, and is hereby declared to be the true intent and meaning of the act made and passed for raising soldiers to go in the said expedition.

This Assembly do vote and resolve, and it is voted and resolved, that nothing be allowed the soldiers that were raised for the last expedition, beside their wages; and that every soldier that shall retain or keep back his blanket, knapsack or any other thing, which was provided for him, by the government, in the said expedition, shall account unto the government for the same; his provisions only excepted.

The gentlemen who were appointed to audit the accounts of such of the committee of war, as live in Newport, presented this Assembly with the following accounts and receipts:

Report of the Committee appointed to audit the accounts of the Committee of War.

The colony of Rhode Island, with Jonathan Nichols, John Gardner, Thomas Cranston and Peter Bours, members of the committee of war, on account of the second expedition designed against Crown Point,

Dr.

£ s. d.

| | |
|--|-------------|
| To various expenditures, as per annexed account..... | 144,646 0 3 |
|--|-------------|

Cr.

| | |
|---|-------------|
| 1757. By our orders, drawn on the general treasurer, in favor of the persons whose names are set down in the foregoing account, and cash received, as per receipts given..... | 144,646 0 3 |
|---|-------------|

We, the subscribers, being appointed a committee, by the Honorable General Assembly, to audit the accounts of the committee of war, do make report:

That we have carefully examined the accounts exhibited to us, by John Gardner, Thomas Cranston and Peter Bours, Esqs., members of the said committee, and find them well vouched;

and that the above and foregoing account, amounting to £144,646 3d., are what we have audited.

JOHN TILLINGHAST,
JAMES SHEFFIELD,

Newport, June 4, 1757.

Committee.

This certifies, that each, and the several sums of money charged by the committee of war, in the above and foregoing accounts, agree with a list of the same sums paid by Thomas Richardson, Esq., general treasurer of the colony, by order of said committee of war, and attested by him, as extracted from his books.

DANIEL COGGESHALL,
JOSEPH LIPPITT,

Committee.

Unto which report, the committee subjoined the following account :

| | | |
|---|-------------------|-----|
| | The Colony, | Dr. |
| To our time and trouble in auditing the above accounts, | £15 | |
| | JOHN TILLINGHAST, | |
| Newport, June 4, 1757. | JAMES SHEFFIELD. | |

And this Assembly, having taken the premises into consideration,—

Do vote and resolve, and it is voted and resolved, that the foregoing report be, and the same is hereby accepted ; and that the above account be, and is hereby, allowed ; and that £15, the amount thereof, be paid the said John Tillinghast and James Sheffield, out of the general treasury.

This Assembly do vote and resolve, and it is voted and resolved, that the deputies of the several towns in this colony, make strict inquiry after all the arms, accoutrements and ammunition, that the soldiers raised for the last expedition, were furnished with ; and see the same returned unto the committee of war.

This Assembly do vote and resolve, and it is voted and resolved, that the general treasurer be, and he hereby is, directed

to hire gold and silver for one year, at the rate of six per cent., and pay off, as they become due, all the notes that he hath given in exchange for Crown Point bills; that is to say : unto such persons as shall demand the same. And all those who are willing to let their notes lie for one year, shall be allowed interest at and after the rate of six per cent. ; and that the general treasurer pay all Crown Point bills which shall be hereafter brought unto him, with the gold or silver that he shall hire in pursuance of this act.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that all French prisoners now in this colony, and all such as may be hereafter brought into the same, shall be sent off in flags of truce.

And be it further enacted by the authority aforesaid, that the gentlemen whose names immediately follow, be, and they hereby are, chosen and appointed committees, for examining every flag of truce that shall be fitted out at the ports hereafter mentioned, that is to say :

Simon Pease, Esq. and Mr. William Read, for Newport ; Daniel Jenckes, Esq. and Mr. Elisha Brown, for Providence ; and Joseph Russell and Nathaniel Munro, Esqs., for Bristol ; and also to see that no goods be put on board contrary to law.

And be it further enacted by the authority aforesaid, that all masters and owners of all and every flag and flags of truce, that may proceed out of this colony, shall give bond in the secretary's office, unto the King, in the penal sum of £1,000 sterling money of Great Britain, that no goods, wares or merchandise, of any sort, have been, or shall be laden, put, or taken on board any of his or their flag or flags of truce, contrary to law, before, at, or after such inspection and examination.

This Assembly do vote and resolve, and it is voted and resolved, that the general treasurer be, and he hereby is, directed to prosecute all those who were appointed to take the value of the ratable estates in the towns of Coventry and Bristol, for not making returns unto the General Assembly, according to

law ; and also to prosecute the persons appointed to take the value of the ratable estates in the town of Cranston, for not making return unto the town clerk, as they were required by law.

This Assembly do vote and resolve, and it is voted and resolved, that the Hon. Stephen Hopkins, Esq., His Honor the Deputy Governor, Daniel Jenckes, Thomas Cranston and Peter Bours, Esqs., be, and they are hereby constituted a committee, to make inquiry what is due from the crown unto this colony, for provisions delivered at Albany, for billeting soldiers, &c., and make report unto the General Assembly at the next session.

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war provide and send transports to Albany, sufficient to bring home all the troops of this colony that are to return ; and that the committee, above mentioned, give orders for bringing home all the arms, accoutrements, stores, and every other thing that will not be of use, either at Albany, or in the camp.

Whereas, Mr. William Coddington, vendue master, of the town of Newport, preferred a petition and represented unto this Assembly, that all vendue masters within the colony, have, by the laws thereof, always had, since the appointment of such officers, the sole right of selling goods, wares and merchandise at public auction, except of such things as the sheriffs have seized by execution, until an act was made and passed by the General Assembly, at the session begun and holden at South Kingstown, within and for the colony aforesaid, on the last Monday of February, 1756, when and where an act was made and passed, " That the marshal of the court of vice admiralty, within this colony, shall have the same power and authority to sell goods and merchandize at public vendue, in consequence of orders and decrees of the said court, as sheriffs, upon execution ;" that under the pretext of the said law, the deputy marshal of the said court of vice admiralty, hath sold and disposed of sundry goods, wares, merchandise, and effects in the town of Newport ; which the said William Coddington, apprehends to

be an imposition, not only upon him, but all the other vendue masters, in the colony; and the more especially, as the present marshal of the said court of vice admiralty, is an inhabitant of Boston, in the Province of the Massachusetts Bay; so that the act, aforesaid, deprives the officers of this colony of their just rights, and enricheth, at least, one inhabitant of another government; wherefore, the said William Coddington prayed that the act, aforesaid, may be repealed; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority of the same, it is enacted, that the act, aforesaid, and every clause and article thereof, be, and hereby are, repealed, and made null and void, to all intents and purposes, whatsoever.

An Act, in addition to an act, made and passed by the General Assembly, at the session begun and holden in Providence, within and for the colony, aforesaid, on the 27th day of January, 1746, entitled “An act, directing the method of receiving petitions into, and acting thereon, by the General Assembly.

Whereas, it hath often happened, that persons pretending to be aggrieved and injured in the trials of their causes at the courts of law in this colony, have petitioned the General Assembly, and obtained new trials, often times, by reason that some of the adverse party's relations were upon the jury; at other times, that they have discovered fresh evidence, &c.

And whereas, the granting of such petitions, as the law now stands, subjects the party petitioned against, to pay costs; even although upon such a new trial having been had, the former judgments have been confirmed; which is a manifest injury, and unjust grievance; for remedy whereof, in time to come,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that from and after the publication of this act, so often as any new trial shall be by this General Assembly awarded to any person or per-

sons, the party obtaining such new trial, shall be obliged to pay all lawful costs and damages, that he, she, or they have put his, her or their antagonists unto, in defending against such a petition ; unless he, she or they shall, by a new trial, obtain some alteration of the former judgment, either in the whole, or in part ; and in such case, the said costs and damages shall be made part of the bill of costs that shall be recovered by the party or parties obtaining a confirmation of the former judgment.

This Assembly do vote and resolve, and it is voted and resolved, that the committee appointed to build a private vessel of war, for protecting the trade of the colony, do, as soon as the same shall be launched, cause her to be paid over with turpentine, and hauled into some proper wharf or dock ; and that the rigging, sails, and other stores, provided for her, be properly taken care of, till further orders from the General Assembly.

An Act for supplying the general treasury with the sum of £150,000, old tenor, by a rate or tax, to be assessed and levied upon the inhabitants of this colony, and paid in before, or on the last day of January next.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that a rate or tax of £150,000, old tenor, be assessed upon the inhabitants of this colony, and levied, collected and brought into the general treasury before or on the last day of January next.

And be it further enacted by the authority, aforesaid, that the said rate or tax be, and the same is hereby proportioned upon the several towns within this colony, in the following manner, that is to say :

| £ | s. | d. | £ | s. | d. |
|----------------|--------|-------|-----------------|---------|-------|
| Newport... | 30,000 | 00 00 | Tiverton | 4,956 | 17 08 |
| Portsmouth... | 6,744 | 03 03 | Little Compton. | 4,879 | 05 00 |
| New Shoreham.. | 3,175 | 00 01 | | | |
| Jamestown | 3,379 | 08 03 | | | |
| Middletown.... | 4,615 | 05 09 | | | |
| | | | | <hr/> | |
| | | | | £57,750 | 00 00 |

| £ | s. | d. | £ | s. | d. |
|----------------------|---------|-------|--------------------|---------|-------|
| Providence . . . | 11,367 | 00 00 | Hopkinton. . . | 3,126 | 15 00 |
| Smithfield | 8,655 | 00 00 | | | |
| Scituate | 3,840 | 00 00 | | £33,000 | 00 00 |
| Glocester | 3,825 | 00 00 | | | |
| Cumberland . . . | 2,502 | 00 00 | Bristol. | 3,900 | 00 00 |
| Cranston | 5,811 | 00 00 | Warren | 3,600 | 00 00 |
| | | | | | |
| | £36,000 | 00 00 | | £7,500 | 00 00 |
| | | | | | |
| Westerly | 3,792 | 00 00 | Warwick | 6,940 | 10 00 |
| N. Kingstown . . | 6,825 | 00 00 | E. Greenwich . . | 3,871 | 10 00 |
| S. Kingstown . . | 11,000 | 05 00 | West Greenwich . | 2,469 | 00 00 |
| Charlestown . . . | 2,625 | 00 00 | Coventry | 2,469 | 00 00 |
| Exeter | 3,337 | 10 00 | | | |
| Richmond | 2,287 | 10 00 | | £15,750 | 00 00 |

And be it further enacted by the authority aforesaid, that the assessors or rate-makers, shall, upon their assessing or apportioning the aforesaid rate or tax, return a true bill or list of the same, unto the clerk of the town, unto which they respectively belong, within forty days after the rising of this Assembly ; and the said town clerk is hereby directed to send a copy thereof unto the general treasurer, in four days ; who upon receipt of the same, shall issue his warrant in four days, unto the several collectors of rates or taxes, of the respective towns, requiring them, in the King's name, to collect, levy and pay unto the general treasurer, for the time being, the several sums unto them respectively committed to collect.

And be it further enacted by the authority aforesaid, that each respective town shall pay all the charges and fees that shall arise in, or upon the assessing, levying and collecting its part of the aforesaid rate or tax.

And be it further enacted by the authority aforesaid, that the poll-money in assessing this rate, shall be six pence per £1,000, and no more.

And be it further enacted by the authority aforesaid, that

the assessors or rate makers shall, in assessing this rate, assess the same upon the inhabitants of the several towns, agreeably to an act of the General Assembly, made and passed at a session of the General Assembly, begun and holden at Providence, within and for the colony, aforesaid, on Tuesday, the 1st of February last, entitled "An act for taking a true account of the value of all ratable estates, and the number of all ratable polls within this colony."

And be it further enacted by the authority aforesaid, that the assessors or rate makers shall have two pence upon the pound, for assessing this rate, and no more.

And the respective collectors of the rate, aforesaid, are hereby required to use all dilligence in collecting the same; and as soon as they have collected any considerable sum of money, to pay the same into the general treasury; so that the whole sums be paid into the general treasury by the time in this act limited; and the secretary is hereby directed to send a copy of this act to every town clerk in the colony, within ten days after the rising of this Assembly, to be by the said town clerk immediately delivered unto the assessors or rate makers of his town.

And be it further enacted by the authority aforesaid, that where there is any unimproved land in any town within this colony, the owner or owners whereof live out of the same, the rate or tax assessed thereon shall be levied by the sale of so much of the said unimproved lands as will pay the said rate or tax, and all costs and charges, after public notice hath been given in the Boston prints twenty days, if the owner or owners appear not to pay the said rate or tax, so assessed upon his, her or their land; and a deed or deeds of such lands shall vest in the buyer or buyers, as full, large and ample estate of inheritance, as the proprietor or proprietors had in his, her, or their power to grant.

God save the King.

Governor DeLancey of New York to Governor Greene.

New York, 6th September, 1757.

Sir:—In consequence of General Webb's letter to me, desiring that I would complete the regiment in the pay of this province, as soon as I could, I sent expresses to call the Assembly together, on Wednesday, the 31st of August last; on which day, My Lord Loudoun arrived here.

After acquainting him that the Assembly were called to meet that day, and informing him of the occasion, and that General Webb had written to the other governors for the like purpose, His Lordship told me, that as he had brought a sufficient body of troops with him, he was not desirous to put the provinces to this expense; that he was willing, as soon as it was proper, that the regiment of New York should be dismissed, to save expense to the province; but that he expected we should furnish him with two companies of rangers, and that he would make the like application to the other governments.

On Thursday, the Assembly acquainted me they were ready to proceed to business.

On Friday, I sent them a message, and told them what passed between His Lordship and me; and on Saturday, they voted that they would make further provision for the forces in the pay of this province, or any number of them, if I, with the advice of the council, should judge it necessary to continue them; so that, I shall, out of the New York forces, take and keep two companies of rangers, of one hundred men, each.

If your and the other governments, will raise rangers in a proportion equal to what this has done, they will, with what My Lord already has, make a considerable body; and it is easy to conceive how they may be employed to very good advantage.

I shall say no more, as you will hear from My Lord Loudoun, on this subject.

I am, sir, Your most obedient and most humble servant,

JAMES DE LANCEY.

To Governor Greene.

Lord Loudoun to Governor Greene.

New York, September 7, 1757.

Sir:—Nothing could be more agreeable to me than to find, by your letter of the 27th August, the readiness of your compliance with my orders of the 18th, for which I return you thanks; and I make no doubt but you will, upon every occasion, continue to exert yourself for the good of the service, and the preservation of the colonies.

The seven vessels you mention, are arrived; and as you have certainly before this, heard of my arrival here, with the fleet, you have doubtless called in the other vessel you had ordered to cruise off Block Island.

I am, &c., &c.,

LOUDOUN.

To the Hon. William Greene, Esq.

Lord Loudoun to Governor Greene.

New York, September 7th, 1757.

Sir:—As I find that after the surrender of Fort William Henry, Major General Webb had, on finding a very great deficiency in the number of the provincial troops under his command, assembled for the defence of those provinces, partly from those rendered incapable to serve, at present, from the capitulation, and likewise from desertion, made a demand from you, of a number of men to complete your quota.

As I have now arrived here, with a considerable body of His Majesty's forces and as I am willing, as far as it is consistent with the safety of those provinces and the good of the service, to save every expense possible to the provinces, I shall not now insist on putting them to that expense; but must insist on your taking all proper measures to prevent and discourage all further desertion from the troops of your province, till the time I find I can with safety dismiss them; which I will do as early as possible.

But to enable me to part with your troops the earlier, and to secure the back settlements, and to annoy the enemy, it will be absolutely necessary that I should be furnished with a number of rangers, to continue with me the whole winter, to be disposed of for those purposes.

The necessity of this measure will, I dare say, appear to you; and I have the pleasure to acquaint you, that Lient. Governor DeLancey has already agreed with me, to furnish for the province of New York, two companies of one hundred men each, and to take care to have them composed of proper persons for the nature of the service, both officers and men; by which proportion, your quota will amount to ninety men.

I must beg there may be no delay in your giving your orders on this subject; and that, in case there are not proper people to be found among your troops for this purpose, you will be so good as to give directions to have them from the frontiers, where the men are inured to this sort of service.

I am, with great regard, sir,

Your most obedient, humble servant,

LOUDOUN.

To the Hon. William Greene, Esq., Governor of Rhode Island.

P. S. I need not recommend to you, to see your men well provided with good warm winter clothing.

Secretary William Pitt, to the Governor and Company of Rhode Island.

Whitehall, September 16th, 1757.

Gentlemen:—Mons'r d'Abreu, envoy extraordinary from His Catholic Majesty, having lately delivered divers complaints of violences and depredations (particularly mentioned in the enclosed paper), committed by His Majesty's subjects in America, against those of Spain; I am to inform you, that the King, seeing, with the highest disapprobation, the daily growth of such scandalous disorders, and hav-

ing nothing more at heart than to stop the progress of practices, which, if not repressed, must involve His Majesty in odious disputes with all the neutral powers of Europe, is determined to exert the full authority of the law, in vindication of the justice of his crown, and of the honor of the British nation.

And, in this view, I am hereby to signify to you, His Majesty's pleasure that you do enforce, with the utmost vigor, the observance of the additional instruction of October the 5th, to all privateers, and employ uncommon care and diligence effectually to prevent, and, if possible, to cut up by the roots, all excesses and enormities, alledged to be committed in violation of the just freedom of navigation of His Catholic Majesty's subjects.

And whereas, with regard to all Spanish vessels bound to a port of Spain in America. the case of contraband cannot exist,—it being self-evident, that no effects, whatever, carried by a nation to its own ports, can, in any case, fall under that description,—it is His Majesty's pleasure, that you do give the strictest orders, that no Spanish ship, under those circumstances, be disturbed, or molested in their navigation; and that in case of outrages or depredations committed on the same, you do your utmost to discover all such violators of justice, and disturbers of the harmony subsisting between the two nations, and to bring the same to condign and exemplary punishment.

I am, gentlemen,

Your most obedient, humble servant,

W. PITT.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday in October, 1757.

The Hon. William Greene, Governor.

The Hon. John Gardner, Deputy Governor.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the officers and soldiers raised for the last expedition, who went no further than Connecticut, be, and they hereby are, allowed and shall be paid out of the general treasury, the following wages for ten days, that is to say :

The colonel, £10 per day; the lieutenant colonels, £9 per day; the major, £8 per day; the captains, £7 per day; the lieutenants, £6 per day; the cornets and ensigns, £5 per day; and the common soldiers, £3 per day.

And be it further enacted by the authority aforesaid, that the persons employed to take care of the horses, be allowed and paid, as aforesaid, £3 per day, for so long a time as they were in the service ; the owners of the horses, thirty shillings per day, for ten days ; first deducting what is charged to the colony for shoeing each respective horse that was shod.

And be it further enacted, that the deputies of the several towns, who assisted in getting away the troops, shall be allowed £3 each, per day, for three days, to be paid by the respective towns.

Protest.

We, the subscribers, beg leave to protest against the within act, for that it is unequal to pay the deputies all alike for their services ; for that the deputies of some towns did more than six times the service than they did in other towns ; and that it is a great discouragement to a town when they have been industrious to raise men, and the expense all to be paid by their own town ; and it would be more equal to pay it by the government.

THOMAS ARNOLD,
JEREMIAH WHIPPLE.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that £4,000 of bills of public credit, called lawful money, which were emitted by the General Assembly, at a session begun and holden at South Kingstown, within and for the colony, aforesaid, on the last Monday in February, 1756, which said sum is yet outstanding, be called in and sunk by a rate or tax, to be assessed upon the inhabitants of this colony ; and levied, collected and brought into the general treasury, before or upon the last day of February next ; and that a committee be appointed to draw up an act, accordingly.

An Act for the more easy and speedy payment of the charges of the late expedition.

Whereas, there is an act of this government for raising £150,000, old tenor, by a rate or tax, to be assessed and levied

upon the inhabitants; and whereas, sundry persons have money due to them, from the colony, on account of their services, provisions and other necessities done, and provided for the militia lately raised, who, by having orders for their money, on the general treasurer, may more easily pay their parts of the above mentioned rate or tax;—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that the gentlemen who were deputies when the sixth part of the militia was lately raised, do collect all accounts of charges brought against the colony, for the soldiers raised in their several towns, and marching through them or any other towns in this colony, and carefully examine the same, and give each and every person an order on the general treasurer for the sum or sums which shall appear to be due to him, her or them.

And the several collectors of the abovesaid rate or tax, are hereby directed and required to receive such orders so drawn and signed by the first deputy of each town; or if he be dead or absent, by the next deputy, as part of said rate or tax; and the general treasurer is also directed to receive the same of the collectors, accordingly.

Provided always, that each and every person who went either as an officer or soldier, or to bring home the horses, shall have an order for no more than the sum allowed by the act of this Assembly.

And if any officer or soldier hath taken up any clothing on the colony's account, the same shall be deducted out of his wages, before the order is drawn; and if any officer or soldier has neglected or shall neglect to return the blankets, or any other stores or accoutrements, belonging to the colony, the same shall be deducted out of his wages; and he shall have an order on the treasurer for the remainder, and no more. And the expense of shoeing the horses, shall be deducted out of the horse hire; and the person or persons who furnished the horse or horses, shall have an order for the remainder, and no more.

And be it further enacted by the authority aforesaid, that all those persons who furnished the provisions, shall be allowed in the following manner, to wit: 6s. 6d., for every pound of pork; 6s., for every pound of cheese; 6s., for every pound of dried beef; and 8s., for every pound of gammon.

And it is enacted by the same authority that if any officer or soldier has taken up more upon the colony's account than his wages amount to, that he shall pay the same to the person who was first deputy of the town at the time of raising the men; and if he be dead or absent, to the next deputy; and if any person shall neglect or refuse to pay the same, said deputy is hereby authorized, and fully empowered, to sue for and recover the same.

Whereas, a number of the merchants and others, of the town of Providence, exhibited unto this Assembly, a memorial, and remonstrated that the merchants of this colony have become large adventurers in private ships of war, fitted out at great expense, for annoying the common enemy; that whatsoever is taken and brought in by such private ships of war, cannot lawfully come into the hands of the owners and companies of them, until it be first adjudged and condemned by a proper court of vice admiralty; that there is no judge of that court within the colony, but only a deputy, and he so much limited and controlled by his superior, who lives out of the government, that very great damages, delays and inconveniences, as well as extravagant expenses, have accrued to such as have been concerned in privateering; wherefore, the memorialists humbly pray this Assembly to direct that proper application be made to this colony's agent in Great Britain, to procure some suitable person to be appointed judge of the court of vice admiralty, within and for the colony; and this Assembly having duly considered the subject matter of the memorialists, aforesaid,—

Do vote and resolve, and it is voted and resolved, that the prayer therein contained, be, and the same is hereby, granted.

An Act for assessing upon the inhabitants of this colony a rate or tax, of £4,000, in bills of credit, which were emitted in February, 1756, to be collected, levied and brought into the general treasury, before, or upon the last day of February next.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that a rate or tax of £4,000, the remaining half of £8,000 of the bills of credit, called lawful money, which were emitted by the General Assembly, at a session begun and holden at South Kingstown, within and for the colony, aforesaid, upon the last Monday of February, 1756, to be assessed upon the inhabitants of this colony, and levied, collected and brought into the general treasury before, or upon the last day day of February next; and for want of the specific bills emitted, as aforesaid, in gold or silver, according to their respective faces.

Whereas, the major part of the committee that was appointed to audit the accounts of the directors of the lottery, some time past opened and set up to raise a sum of money towards paving the streets of Newport, undertook that service, and reported as followeth :

Report of the Lottery Committee.

We, the subscribers, being, together with Benjamin Nichols, Esq., appointed by the Honorable General Assembly, a committee to audit the accounts of Messrs. Thomas Cranston, John Bennett, Job Bennett, Jr., William Read, Evan Malbone and John Channing, directors of the lottery granted for the paving the streets of the town of Newport, report :

That Capt. Read, in behalf of himself and the other directors, hath exhibited unto us an account, with vouchers, by which it appears, that there hath been appropriated to the use, above said, £5,885 18s. 6d; which sum, if deducted from £6,250, the whole profit of the lottery, exclusive of all manner of charge and bad debts, there will be still due from the directors, £384 1s. 6d.

But we beg leave further to report, that Mr. John Channing stands indebted to the other directors, as appears by his own account, £696 15s. 9d., for tickets sold by himself; and also, £104 12s., for tickets sent by him unto Mr. Gamahiel Wallis, in Boston, who, we are informed, is insolvent.

Newport, June 16, 1757.

EDWARD SCOTT,
PETER BOURS.

And this Assembly, having taken the said report into consideration,—

Do vote and resolve, and it is voted and resolved, that the said report be, and the same is hereby, accepted.

An Act for enlisting anew, two hundred and fifty of the soldiers now in the pay of this colony.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that two hundred and fifty able bodied, effective men, of the soldiers now in the pay of this colony, be enlisted anew, as they return from the service, they are now employed in, for, and during the pleasure of the General Assembly; that is to say, if so many will voluntarily enlist; and in case the said number will not, that then so many others be enlisted as shall be wanted, to make the whole number of two hundred and fifty; and that a proper officer be appointed by the committee of war to every twenty-five of the said enlisted soldiers, who shall be disciplined every day, and billeted in such parts of the government, as will be most suitable for the purpose, and least charge to the colony.

And be it further enacted by the authority aforesaid, that all the officers and soldiers so enlisted, shall have and receive the same pay as is now allowed them; and be entitled to all and every the privileges, benefits and immunities that have been heretofore granted unto the officers and soldiers raised and employed by this government; the bounty only excepted.

This Assembly do vote and resolve, and it is voted and resolved, that the old tenor money which the general treasurer was ordered to hire, at the rate of ten per cent. interest, be con-

tinued upon that interest, so long as the colony shall have occasion therefor; that is to say: if the persons who lent the same, will consent to it.

This Assembly do vote and resolve, and it is voted and resolved, that what appears to be due unto the Hon. Stephen Hopkins, Esq., as he was a member of the committee of war, from the report of the committee that audited his accounts, be paid him out of the general treasury, with interest, at ten per cent.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that any five of the field officers in this colony, be, and they are hereby, empowered to hold a court martial, from time to time, as occasion may require, to hear, try and pass sentence against any soldier or soldiers who hath or have deserted, or shall hereafter desert the colony's service, agreeably to the nature of the offence; or discharging such as appear to be innocent. And to the end that this act may be carried into due execution,—

It is further enacted, that any one field officer may issue his warrant for the apprehending and securing any deserter or deserters, in order to his or their being brought to trial.

Whereas, this Assembly hath voted that application be made unto His Majesty, for a judge of the court of vice admiralty, to be appointed within and for this colony,—

It is therefore voted and resolved, that the Hon. Stephen Hopkins, Esq., be, and he hereby is, appointed and requested to write a letter for that purpose, and recommend Col. John Andrews to be person.

This Assembly do vote and resolve, and it is voted and resolved, that His Honor the Governor, be, and he hereby is, requested to write unto His Excellency the Earl of Loudoun, and inform him that this government hath concluded to retain in His Majesty's service, for the ensuing winter, two hundred and fifty of the soldiers that shall return from the camp to this colony, &c.; and that it is expected the said soldiers will be billeted at the charge of the crown; His Honor is also requested to inform His Excellency, that this Assembly have added thirty men

unto the seventy ordered by the General Assembly, at their last session ; so that one hundred rangers will be furnished by this colony, agreeably to His Lordship's requisition.

This Assembly do vote and resolve, and it is voted and resolved, that Col. John Andrews, be, and he is hereby, appointed to sue Col. Resolved Waterman, of Smithfield, for the colony's money, which he received for paying bounties.

What follows, is the report of the committee appointed to audit the accounts of the charges of the last expedition :

Report of the Auditing Committee.

We, the subscribers, being a committee appointed to audit the accounts of charges of the last expedition, have carefully performed that service, and do report as followeth, viz. :

That sundry accounts, as per the accompanying list, amounts to £5,762 15s. 6d.

As there was not a general account of the horses, only two in Newport, are included ; and no damage done to horses, nor any services in assisting to press arms or other things, is included ; and a great many accounts are wanting, and some articles of clothing were not included ; as the persons who had them, were not set down in the accounts.

| | |
|---------------------|-----------------|
| BENJAMIN WICKHAM, | OTHNIEL GORTON, |
| MATTHEW MANCHESTER, | WILLIAM PEARSE. |
| SAMUEL WARD, | |

And the said report being duly considered,—

This Assembly do vote and resolve, and it is voted and resolved, that the same be, and it hereby is, accepted.

God save the King.

Public Acts passed during the year 1757.

[The following Public Acts, passed during the year 1757, are not printed in these Records, but will be found in the volume of Public Laws, printed in the year 1767.]

- An Act for the more easy recovering of small debts, and for preventing unnecessary charges in lawsuits within this colony. (February.)
- An Act to prevent canoes and boats being made fast to the pillars and buttments of the bridge at Pawtuxet Falls. (February.)
- An Act for taking a true account of the value of all ratable estates, and the value of ratable polls within this colony. (February.)
- An Act in addition to, and in explanation of, an act passed at the February session, entitled "An act taking a true account of the value of all ratable estates, and the number of all ratable polls within this colony." (March.)
- An Act exempting the field and others the commissioned officers, living within the town of Newport, from being jurors. (June.)
- An Act to prevent sheep and horses from going at large in, or near the compact part of the town of Providence. (June)
- An additional Act, empowering the Governor, upon demand being made by Major General Webb, or the commanding officer for the time being, to raise and forthwith send one hundred and fifty men to his assistance. (August.)
- An Act for augmenting the salary of the general treasurer in time to come. (October.)

Lord Loudoun to Governor Greene.

New York, October 9th, 1757.

Sir:—Last night I had the favor of your letter of September 21st, by the Boston post, with a minute of the General Assembly of the 19th September, 1757, by which I see your Assembly have voted seventy rangers, for the defence of the country, in place of the one hundred I demanded of you, in consequence of His Majesty's orders to me, to apply to the several provinces and colonies in North America, for such aid as I saw necessary for carrying on the war, either offensive or defensive.

And in consequence of His Majesty's repeated orders, signified by his several secretaries of state, to each of his governors in his dominions in North America, from the year 1754, down to those letters which arrived here on the 1st of May last, which were directly transmitted by me to you.

If you will re-consider all those orders to your predecessors and to yourself, all which must remain in the office, and relate to you, now that you are Governor, equally as if they had been transmitted whilst you enjoyed that dignity, you will there see the King's orders to his governors, and his expectations from his people, to exert themselves in the defence of his dominions, and of the lives and fortunes of his subjects.

You judge extremely right, when you say in your letter, "That 'tis very proba-

ble that it would have been more satisfactory, if the gentlemen had exactly conformed to my requisition."

I own that it would be much more satisfactory to me, to see your colony vieing with the other governments in their zeal for the common cause, than to find that, after the King, at the expense of the mother country, has sent so great a force for your protection, both of land forces and fleets; and that I, in consequence of the instructions he has given me, out of his paternal care of his people, have, and am, at this time, diminishing every expense to the province that I can, consistent with their safety, than it can be to me, to see the Assembly of Rhode Island cut three-tenths of so small a demand as one hundred men, for the common defence of the country, immediately on the back of the enemy's having so large an army the King's dominions, in North America, who are at hand to return, if proper measures are taken.

As to what the gentlemen from your province report, of what passed between them and me, last winter, in relation to the numbers agreed to be furnished, at meeting, by each of the New England provinces; 'tis true that I did say, after a whole meeting had agreed that the number of men I demanded, was less than they expected, and that they would furnish them; but could not agree among themselves on the number each was to furnish, in order to make them up; and at last left it to me to fix that quota to each, as one that could have no connection, but the general one, I had with the whole, from the command the King had honored me with, and the natural connection I have with each man, as my fellow subjects.

I did, on this, acquaint the meeting of the opinion I had formed, from the best information I could get, of the numbers each, from their abilities and situation, ought to furnish; and the meeting agreed to it, that I did then say, it should be no rule for the future, if I found I had injured in it.

As my duty requires, I have since informed myself of the abilities of your province, of the losses they sustain by the war, and of the profits they have made during it; and the means by which those profits are made; and I know that I have done you no injustice in the number I then fixed for you to furnish; and I am ready to prove it to the King, our master.

But consider the case. I last winter made my demand for men as low as I could, consistent with the safety of the provinces, in order to save all possible expense, the moment the situation [of the service] would permit. I have formed a new plan on the same principles, and have proposed to you, that I will dismiss earlier than you expected, three hundred and fifty of your quota, on condition you will furnish me the remaining one hundred for the winter, of good rangers, properly clothed, for the service; and in this, I have again gone as low in my demands, as the plan I propose to execute, will permit; and of this, I must be a better judge than any of you, or I must be very improper for the trust that is reposed in me.

Don't imagine I do business by auction; that I ask high, in order to make a good composition; my method is very different from that. I have on every occasion, first considered the necessities of the service, the dangers that must be provided against; and on the one side the annoyances we could give the enemy; and then have calculated what numbers were necessary for those services; and have even made my demand as low as I could reasonably expect would answer those purposes. If that number is diminished, the security is lost, and the service is put a stop to, and the war, of course, prolonged.

PLEASE
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For those reasons, I must insist on your calling your Assembly together again, if they are separated, in order to re-consider this affair; and as 'tis your duty, both to your King and to your country, it would be injurious to suppose that you will not lay before them the repeated orders you and your predecessors have received from His Majesty, and enforce them with all the arguments you are master of, to convince ~~them to do so~~ King and their country, and that it is their

PRE-1920 BOOK

PLEASE DO NOT
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on your furnishing me one hundred rangers, to service, to remain with me the whole winter, ice would permit, the remainder of your troops. be under a necessity of continuing the campaign

ried on in this country, without proper assistance e number I first demanded, and shall be very King, our master, of the proceedings in this new will, I will tell it to him fairly as it is.

letter as soon as possible; as on it, will depend, f the provincial troops.

eat regard, sir,

our most obedient, humble servant,

LOUDOUN.

rt, Rhode Island.

to the Governor of Rhode Island.

On board H. B. M. ship Northumberland,
Halifax, 14th November, 1757.

structions, to correspond with you on His Majesty of acquainting Your Excellency, that I of His Majesty's ships and vessels, in North acquainted with our strength in these parts, I this harbor. I omit those appointed to participated with the orders they may be under, or the

you, last February, I am encouraged to apply seamen, to recruit the ships under my com-ect of getting men here; several ships are at at, and we must naturally expect that many of

y request of you, to raise as many seamen and bly can, and to send them hither with the ut-ndeavors to get the squadron to sea very early

I am, sir, &c., &c., COLVILLE.

in the spring.

To the Governor and Company of Rhode Island.

Lord Loudoun to Governor Greene.

Albany, November 20th, 1757.

Sir:—Last night I had the favor of yours,* of October 29th, with an account of the resolution your Assembly had come to, on my letter of October 9th, to you, in relation to the rangers for the winter season.

In that letter of mine, there was a mistake in desiring one hundred, in place of ninety, in my first letter, which was not intended; and I am very much obliged to those gentlemen for their compliance, on seeing the state of the affair, as laid before them, in my letter to you; and I shall do your province the justice to acquaint the King's ministers with the readiness with which they complied, on seeing the true state of the affair.

Before your letter arrived, when I was at Fort Edward, I took the resolution of dismissing as many of the provincial troops as could be spared, in order to save expenses to the provinces; and as your answer had not then arrived, I directed Col. Angell to draught, out of your troops, one company of ninety men, officers included, whom I retained as provincials, till I should have an answer from you, and have posted them for the winter, with some of the regular troops at Saratoga; and directed the colonel to send home the remainder of your troops, in order to be discharged, and they are now in this neighborhood.

As to the second paragraph of your letter, in regard to the further resolution of your Assembly, to keep up two hundred and fifty of their men for the winter, the offer is extremely handsome, and must do honor to your province, and I think shows a right spirit for the public service, and is worthy of imitation in the other provinces; and I cannot help saying on this occasion, as whilst the war continues, there must be constant application to the provinces every year for troops to assist in carrying on the service, that if they were to keep up their troops during the continuance of the war, the expense would be very little more than it is at present, and the service would be much more effectually performed by their troops, who would by that means be disciplined; whereas, in the present method of raising them, and disbanding them every campaign, it is not possible for them to bring any but new troops to the field.

At the same time, as that is not the case in other provinces at present, I think it would be wrong for me to put you to put any expense that I can possibly save to your province; and therefore, have permitted the remainder of your troops to go home, for you to determine on this point, as you shall see proper, when they arrive.

And I beg that you will believe, and that you will assure your Assembly, that on every occasion, whilst I have the honor to be continued in my present command, I will make it my constant study to save every expense that I can, consistent with the carrying on the public service, to the provinces; and will go as far in that, as any man belonging to any one of them; and I am sure the King, our master, would not approve of my proceedings, if I did not.

I am with great regard, sir,

Your most obedient, humble servant,

LOUDOUN.

To the Hon. William Greene, Esq.

* Copies of the letters of Governor Greene to the Earl of Loudoun, written in the year 1757, are not found in the state archives.

Secretary William Pitt to the Governor and Company of Rhode Island.

Whitehall, December 30th, 1757.

Gentlemen:—His Majesty having nothing more at heart than to repair the losses and disappointments of the last inactive and unhappy campaign; and by the most vigorous and extensive efforts, to avert, by the blessing of God on his arms, the dangers impending on North America; and not doubting but all his faithful and brave subjects there will cheerfully co-operate with and second, to the utmost, the large expense and extraordinary succors supplied by this kingdom, for their preservation and defence; and His Majesty considering that the several provinces, in particular, from proximity and accessibility of situation, more immediately obnoxious to the main irruptions of the enemy from Canada, are, of themselves, well able to furnish at least twenty thousand men, to join a body of the King's forces for invading Canada, by the way of Crown Point, and carrying war into the heart of the enemy's possessions.

And His Majesty not judging it expedient to limit the zeal and ardor of any of his provinces, by making a re-partition of the force to be raised by each respectively, for this most important service; I am commanded to signify the King's pleasure, that you do forthwith use your utmost endeavors and influence, with the Council and Assembly of your colony, to induce them to raise, with all possible despatch, as large a body of men within your colony, as the number of its inhabitants may allow; and, forming the same into regiments, as far as shall be found convenient, that you do direct them to hold themselves in readiness, as early as may be, to march to the rendezvous at Albany, or such other place as His Majesty's commander in chief in America shall appoint, in order to proceed from thence, in conjunction with a body of the King's British forces, and under the supreme command of His Majesty's said commander in chief, in America, so as to be in a situation to begin the operations of the campaign, by the 1st of May, if possible, or as soon after as shall be any way practicable, by attempting to make an irruption into Canada, as above, by the way of Crown Point; and, if found practicable, to attack either Montreal or Quebec, or both of the said places successively, with the whole force in one body; or at one and the same time, by a division of the troops into separate and distinct operations, according as His Majesty's said commander in chief shall, from his knowledge of the countries through which the war is to be carried, and from emergent circumstances, not to be known here, judge any of the said attempts to be practicable.

* * * * *

And the better to facilitate this important service, the King is pleased to leave it to you, to issue commissions to such gentlemen of your colony as you shall judge, from their weight and credit with the people, and their zeal for the public service, may best be disposed and enabled to quicken and effectuate the speedy levying of the greatest number of men; in the disposition of which commissions, I am persuaded you will have nothing in view but the good of the King's service, and a subordination of the whole, when joined to His Majesty's commander in chief.

And all officers of the provincial forces, as high as colonels, inclusive, are to have rank according to their several respective commissions, in like manner as is al-

ready given, by His Majesty's regulations, to the captains of provincial troops in America.

The King is further pleased to furnish all the men, so raised as above, with arms, ammunition, and tents, as well as to order provisions to be issued to the same, by His Majesty's commissaries, in the same proportion and manner as is done to the rest of the King's forces.

A sufficient train of artillery will also be provided at His Majesty's expense, for the operations of the campaign; and the ship that conveys this, carries orders for the timely providing, at the King's charge, with the utmost diligence, and in an ample manner, boats and vessels, necessary for the transportation of the army on this expedition.

The whole, therefore, that His Majesty expects and requires from the several provinces, is, the levying, clothing and pay of the men; and on these heads also, that no encouragement may be wanting to this great and salutary attempt, the King is further most graciously pleased to permit me to acquaint you, that strong recommendations will be made to Parliament in their session next year, to grant a proper compensation for such expenses as above, according as the active vigor and strenuous efforts of the respective provinces shall justly appear to merit.

Although several thousand stands of arms will be forthwith sent from England, to be distributed to the troops, now directed to be raised in the northern and southern provinces, yet, as it is hoped that the numbers of men levied in all parts of America, may greatly exceed the quantity of arms that can at present be supplied from England, it is His Majesty's pleasure, that you do, with particular diligence, immediately collect, and put into the best condition, all the serviceable arms that can be found within your colony, in order that the same may be employed, as far as they will go, in this exigency.

I am further to inform you, that similar orders are sent, by this conveyance to Massachusetts Bay, New Hampshire, Connecticut, New York and New Jersey.

The southern governments are also directed to raise men in the same manner, to be employed in such offensive operations as the circumstances and situation of the enemy's posts, in those parts, may point out; which, it is hoped, will oblige them so to divide their attention and forces, as will render the several attempts more easy and successful.

It is unnecessary to add any thing to animate your zeal, in the execution of His Majesty's orders on this great occasion, where the safety and preservation of America are at stake; and the King doubts not, from your known fidelity and attachment, that you will employ yourself, with the utmost application and despatch, on this urgent and dangerous crisis.

Although the knowledge of an intention to invade Canada, is apprehended to be not only unattended with any inconvenience, but necessary to be propagated in the provinces, in order to give success to the levies; yet, as secrecy in all enterprises on particular places, is of the greatest importance, the King is persuaded that you will use all proper discretion in communicating by name, any of the immediate objects before pointed out, further than to such persons to whom it may be necessary, for the good of the service, confidentially to entrust the same.

I am, gentlemen,

Your most obedient, humble servant,

W. PITT.

To the Governor and Company, of Rhode Island.

Secretary William Pitt to the Governor and Company of Rhode Island.

Whitehall, December 30, 1757.

Gentlemen :—The King having judged proper that the Earl of Loudoun should return to England, and His Majesty having been pleased to appoint Major Gen. Abercromby to succeed His Lordship as commander in chief of the King's forces in North America, with the same powers and authorities ; I am commanded to signify to you His Majesty's pleasure, that you do apply to, and correspond with, Major General Abercromby, on all matters relating to the King's service ; and that you do obey such orders as you shall receive from him, in the same manner as you were directed to do, with regard to, the several former commanders in chief, in North America ; and you will from time to time give Mr. Abercromby, all the assistance and lights in your power, in all matters relative to the command, with which the King has honored him.

And I am particularly to signify to you His Majesty's pleasure, that, in case Major General Abercromby, or the commander in chief of His Majesty's forces, shall, at any time, apply to you, to lay an embargo on all ships within your colony, you do strictly comply with the said request, for so long a time as the commander in chief shall desire.

The King having resolved to send a considerable squadron of ships of war the ensuing year, to North America, I am further to signify to you His Majesty's pleasure, that you do, from time to time, transmit to the commander in chief of the King's ships in North America, all intelligence relative to this department, in the same manner as you were directed to do by my letter of the 19th of last February, to Vice Admiral Holburne.

And it is also the King's pleasure, that you do, in any application from the commander of the King's ships, use all legal methods, to supply him with such a number of sailors and workmen from your colony, as he shall, at any time, require for His Majesty's service.

I am, gentlemen, &c., &c.,

WILLIAM PITT.

To the Governor and Company of Rhode Island.

Secretary Oliver, of Massachusetts to Governor Greene.

Boston, December 30, 1757.

Sir :—I now send Your Honor, by express, copy of a vote passed the General Assembly of this Province, in their present session.

The vote itself shows that it comes by direction of the government and makes it needless for me to add any thing upon the subject matter of it.

I am, &c., &c.,

ANDREW OLIVER.

To Hon. William Greene.

Resolutions of the Massachusetts General Assembly.

Province of the Massachusetts Bay.

House of Representatives, December 24, 1757.

Voted, that expresses be sent to each of the governments of New England, to desire them to appoint commissioners to meet commissioners to be appointed by this

government, to meet at Boston, on the last Wednesday in January next, to concert measures for our mutual defence in this time of war and great danger.

Secretary Oliver, of, Massachusetts, to Governor Greene.

Boston, January 19, 1758.

Sir:—I have the honor of your letter of the 5th instant, which has been communicated to the General Court. I am directed to acquaint you, that no one of the colonies is better disposed to show all deference and respect to the general of His Majesty's forces, than this colony is, and always has been.

Upon receiving intelligence that the government of Connecticut had appointed commissioners to represent that colony, in case any proposals should be made for a general meeting, by any of the other governments, we thought it advisable to make such proposals; but we had no thoughts ourselves, nor do we imagine that Connecticut had any, of going into any measures which could possibly interfere with His Lordship's plan for the general service of the colonies.

It appeared to us, that some steps might be proper to be taken by each government for its immediate defence, both by sea and land; and as the interest of the colonies of New England is so nearly connected, we thought it might better be pursued by acting in concert, than by the separate, and perhaps interfering measures of each colony acting by itself.

Whether the present backwardness of Rhode Island will prevent the other governments from sending their commissioners, we are unable to say. We send you copies of the letters received from them upon the occasion. This government will be prepared to join such as shall think proper to meet them.

I am, by order of the General Court, sir,

Your most humble, obedient servant,

ANDREW OLIVER, Sec'y of Mass.

To Hon. William Greene, Esq.

Lord Loudoun to Governor Greene.

New York, January 30th, 1758.

Sir:—As the season of the year makes it necessary to settle with the different provinces and colonies what assistance will be necessary for carrying on the war, next campaign, I must desire you will get commissioners appointed, who with you, may have full powers to meet with me, and settle on the part of your colony, that no time may be lost.

I propose setting out for Boston, in order to meet with the governor and commissioners of the more northern provinces; and I beg no time may be lost in fixing the commissioners, and granting the powers; and I will give you notice of my setting out, by express.

I am, with great regard, sir,

Your most obedient, humble servant,

LOUDOUN.

To Governor Greene.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the 14th day February, 1758.

The Hon. William Greene, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, His Excellency the Earl of Loudoun, commander in chief of His Majesty's forces in North America, by his letter, dated the 7th of this instant February, hath required and appointed a convention of the governors of the northern provinces and colonies, with commissioners properly authorized, to be holden at Hartford, in the colony of Connecticut, on Monday next, in order to settle and determine what assistance from the said provinces and colonies, will be necessary to carry on the war the next campaign,—

This Assembly therefore do vote and resolve, and it is voted and resolved, that His Honor the Governor, with two others, to be by this Assembly appointed, be, and they hereby are constituted commissioners, to wait upon His Lordship at the time and place by him assigned for the purpose, aforesaid; and if by reason of the indisposition which the Governor now labors under, he shall be incapable of attending, then the other two shall proceed and attend without him; and are hereby invested with the same power that is granted unto all three.

This Assembly do vote and resolve, and it is voted and resolved, that the commissioners who are to wait upon His Excellency the Earl of Loudoun, at the approaching congress in Connecticut, use their best endeavors, together with the commissioners of the other governments, to discover what proportion each government supplied of the ordnance and stores for the Crown Point expedition, and delivered to His Majesty's troops, at Fort William Henry, by the hands of Col. Richard Gridley, chief engineer and commander of the train of artille-

ry to the provincial forces, &c., on the 2d day of November, 1756.

This Assembly do vote and resolve, and it is voted and resolved, that the articles following, be, and they are hereby, made instructions unto His Honor the Governor and the gentlemen that shall be by this Assembly appointed to wait, as commissioners, upon His Excellency the Earl of Loudoun, commander in chief of His Majesty's forces in North America, with the governors and commissioners of the northern provinces and colonies, at a convention by His Lordship appointed to be holden at Hartford, in the colony of Connecticut, on Monday, the 20th of this instant February.

First. You are to proceed immediately unto Hartford, and upon your arrival there, wait on His Lordship, and join the governors and commissioners of the other provinces and colonies, that shall be assembled at that place.

Second. You are to lay an exact state of the colony before His Lordship, with regard to its fortifications, cannon, warlike and military stores ; the number of inhabitants, state of the treasury, and funds for supplying the same.

Third. You are to beg His Lordship to lay the defenceless condition of this colony before His Majesty in the most favorable light.

Fourth. You are to request His Lordship to make the colony such an allowance for the provisions and military stores furnished by this colony, for the last two years, as will correspond with His Majesty's gracious intentions, signified to us by his secretary of state.

Fifth. In concert with the commissioners of the other governments, you are to request of His Lordship, that the forces raised by this colony, may be under the immediate command of their own officers, and no others, except the commander in chief.

Whereas, several commissioned officers, unto whose lot it fell to go in the last expedition from this colony, procured
c a their stead,—

ly, therefore, do vote and resolve, and it is voted

and resolved, that all and every of the persons procured, as aforesaid, shall have no more of the government than the pay that was allowed unto the common soldiers.

This Assembly do vote and resolve, and it is voted and resolved, that the committee which was appointed by this Assembly, at their last session, to audit the accounts of the charges of the last expedition, be further continued for that purpose; and likewise audit such other accounts as shall be brought in hereafter.

Whereas, the Rev. Joseph Park, of Charlestown, in the county of Kings county, presented this Assembly with a memorial, setting forth that he hath been ever ready to contribute all the assistance in his power, to repel His Majesty's enemies from their injurious encroachments on his dominions and just rights in North America, and to defend the country; that in the year 1756, he consented to the voluntary enlistment of three of his sons, who served in the expedition formed for the reduction of Crown Point; that when they were discharged from the service, upon their return homeward, they put their clothing and other furniture, to the value of about £100, currency, in their chest, which was unfortunately lost in the sea; that this summer, when the enemy attacked Fort William Henry, they were substituted to go, and voluntarily went in the stead of officers, who declined; that they did this without any consideration, purely to serve their country, and oblige their friends; that he, the memorialist, was thereby put to considerable charge, and received damage in his business; wherefore, he prayed for such allowance as should be thought proper; on consideration whereof,—

This Assembly do vote and resolve, and it is voted and resolved, that the sum of £100, be paid the said Joseph Park, out of the general treasury, for the use of his aforesaid sons, as an allowance for what they lost, as aforesaid; but that nothing be allowed them as officers.

This Assembly do vote and resolve, and it is voted and resolved, that Messrs. Elisha Brown and John Cole, of Providence, in the county of Providence, be, and they hereby are,

appointed a committee, to audit the accounts of Messrs. Joseph Sheldon and Joseph Bucklin, for the repairs of Weybosset Bridge, and make report as soon as conveniently may be.

Whereas, Christian Mayer, exhibited unto this Assembly, an account by him charged against this government, for boarding a number of His Most Christian Majesty's subjects, who, by the fortune of war, were taken prisoners, and brought into this colony; and the said account being duly examined,—

This Assembly do vote and resolve, and it is voted and resolved, that the same be, and hereby is, allowed; and that £304 10s., the amount thereof, be paid the said Christian Mayer, out of the general treasury.

An Act to oblige the inhabitants and inn-holders of this colony, to receive and entertain the recruits that may be raised therein, for His Majesty's service.

Whereas, it often happens that the King's recruiting officers and others, his soldiers, frequently pass through this colony, and recruit within the same; and that the four pence, sterling, allowed them per day, by an act of Parliament, now in force, for the billeting each soldier, is not sufficient for their sustenance, while within said colony; and the overplus is in and by said act, ordered to be provided by the inhabitants; and whereas, there is no law of this colony for the furnishing and regulating the same;—

Be it therefore enacted by this General Assembly, and by the authority of the same, it is enacted, that for the future, when any recruiting officers and soldiers shall make due application to any of the assistants and justices or wardens of the peace, in any town within this colony, for the billeting of any troops upon the inhabitants, agreeably to the act of Parliament in that case, made and provided, that it shall, and may be lawful for such assistants, justices or wardens of the peace, to order and direct any of the inhabitants or tavern keepers of such town, to receive so many of such soldiers as they may judge convenient, till the whole be provided for, and billet the same, at the expense of the colony; and such inhabitant or inn-

holder shall be allowed and paid out of the general treasury the sum of £3 4s., old tenor, per week, over and above His Majesty's allowance, and no more ; and the like proportion for any longer or shorter time.

And be it further enacted by the authority aforesaid, that if any inn-holder or tavern keeper shall refuse to obey such order or orders, given by any assistant, justice or warden, as aforesaid, he or she, so refusing, shall forfeit his or her license.

Whereas, Nathaniel Bosworth, Esq., sheriff of the county of Bristol, exhibited unto this Assembly an account by him charged against the government, for boarding a number of the French king's subjects, who, by the fortune of war, were taken prisoners, and brought into this colony ; and the said account being duly examined,—

This Assembly do vote and resolve, and it is voted and resolved, that the same be, and hereby is, allowed ; and that £208, the amount thereof, be paid the said Nathaniel Bosworth, out of the general treasury.

Both houses being resolved into a grand committee, Col. John Andrews and Mr. Samuel Ward, were appointed commissioners to go with His Honor the Governor, and wait upon His Excellency the Earl of Loudoun, at the congress by His Lordship appointed to be holden at Hartford, in the colony of Connecticut.

This Assembly do vote and resolve, and it is voted and resolved, that the secretary be, and he hereby is, directed to make out, under the seal of the colony, and sign a commission for His Honor the Governor, and the other commissioners appointed to wait on His Excellency the Earl of Loudoun, at the congress appointed by His Lordship, to be holden at Hartford, in the colony of Connecticut.

God save the King.

Lord Loudoun to Governor Greene.

New York, February 7, 1758.

Sir:—As His Majesty's affairs in North America, require a meeting of the governors, in order immediately to concert and carry into execution the plan of operations for the next campaign, in consequence of His Majesty's instructions to me, dated at Kensington, on the 7th of May, 1756, in which are contained these words:

“And you will, in all such emergencies and occurrences that may happen, whether herein mentioned or not, not only use your best circumspection, but shall likewise call to your assistance a council of war, when necessary, which we have thought fit to appoint on this occasion; consisting of yourself, the commander of our ships in those parts, such governors of our colonies or provinces, and such colonels and others of our field officers, as shall happen to be at a convenient distance.”

And in consequence of the repeated orders received by the several governors of North America, from His Majesty's principal secretaries of state, from the 26th of October, 1754, down to this time, I do expect that you will meet me, with the several governors of the northern provinces, at Hartford, in Connecticut, on the 20th of February instant; to all of whom, I have transmitted this my circular letter.

But, in case the affairs of your province will not permit you to be absent at that time, that then you will send commissioners duly authorized for that purpose, from your government, in order that the meeting may be full; and that no time may be lost in settling those affairs I shall there lay before you, which are so essential to His Majesty's service, and to the welfare of those provinces and colonies.

I have appointed this meeting to be held at Hartford, on the Connecticut River, both as the most central place for the whole, and because His Majesty's service makes my presence necessary soon after, in the southern provinces; which makes my going to a greater distance inconvenient for the King's service, at this time.

I am with great regard, sir,

Your most obedient, humble servant,

LOUDOUN.

To the Hon. Governor Greene, Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the 13th day of March, 1758.

The Hon. William Greene, Governor.

The Hon. John Gardner, Deputy Governor.

Both houses being resolved into a grand committee, the Hon. Stephen Hopkins, Esq., was chosen Governor for the remaining part of the current year, in the room of the Hon. William Greene, Esq., our late deceased Governor, and was thereupon engaged.

This Assembly do vote and resolve, and it is voted and resolved, that Edward Scott, Esq., and Capt. Daniel Ayrault, be, and they hereby are, appointed a committee to audit the accounts of the directors of the lottery that was opened and set up, to raise a sum of money for carrying on the building of Fort George, on Goat Island, in the township of Newport, and make report unto the General Assembly, as soon as conveniently may be.

Mr. Samuel Ward, one of the gentlemen by the last Assembly chosen to wait on His Excellency the Earl of Loudoun, at the convention in Hartford, in the colony of Connecticut, presented the following report:

Report of the Rhode Island Commissioners, appointed to meet Lord Loudoun, at the congress, at Hartford.

I, the subscriber, being appointed one of the commissioners appointed to wait upon the Right Honorable the Earl of Loudoun, in behalf of this government, did accordingly, in company with Col. John Andrews, proceed to Hartford. As soon as we arrived, we waited upon His Lordship, and laid our commission and instructions before him; and agreeably thereto, presented the following memorial, viz.:

MEMORIAL.

To His Excellency the Earl of Loudoun, commander in chief of all His Majesty's forces in North America:

We, the commissioners from the government of Rhode Island, being ordered to

Lord Loudoun to Governor Greene.

New York, February 7, 1758.

Sir:—As His Majesty's affairs in North America, require a meeting of the governors, in order immediately to concert and carry into execution the plan of operations for the next campaign, in consequence of His Majesty's instructions to me, dated at Kensington, on the 7th of May, 1756, in which are contained these words:

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But, in case the affairs of your province will not permit you to be absent at that time, that then you will send commissioners duly authorized for that purpose, from your government, in order that the meeting may be full; and that no time may be lost in settling those affairs I shall there lay before you, which are so essential to His Majesty's service, and to the welfare of those provinces and colonies.

I have appointed this meeting to be held at Hartford, on the Connecticut River, both as the most central place for the whole, and because His Majesty's service makes my presence necessary soon after, in the southern provinces; which makes my going to a greater distance inconvenient for the King's service, at this time.

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Mr. Samuel Ward, one of the gentlemen by the last Assembly chosen to wait on His Excellency the Earl of Loudoun, at the convention in Hartford, in the colony of Connecticut, presented the following report :

Report of the Rhode Island Commissioners, appointed to meet Lord Loudoun, at the congress, at Hartford.

I, the subscriber, being appointed one of the commissioners appointed to wait upon the Right Honorable the Earl of Loudoun, in behalf of this government, did accordingly, in company with Col. John Andrews, proceed to Hartford. As soon as we arrived, we waited upon His Lordship, and laid our commission and instructions before him; and agreeably thereto, presented the following memorial, viz. :

MEMORIAL.

To His Excellency the Earl of Loudoun, commander in chief of all His Majesty's forces in North America :

We, the commissioners from the government of Rhode Island, being ordered to

And this Assembly, having taken said report into consideration,—

Do vote and resolve, and it is voted and resolved, that the same be, and is, hereby accepted.

This Assembly do vote and resolve, and it is voted and resolved, that Messrs. Nathaniel Pearce, Thomas Throope and Royal Paine, be, and they hereby are, chosen and appointed to take an estimate of all the ratable estates, and an account of the number of ratable polls in the town of Bristol, in the room of those persons who were appointed to perform that service, but neglected to do it; and that they, the said Nathaniel Pearce, Thomas Throope and Royal Paine, be, and hereby are, subjected unto the same fines and penalties for neglect of duty as the persons were in whose room they are now chosen.

The committee that was constituted to audit the accounts of the gentlemen that were appointed to get a vessel built for the colony's service, presented the following report, to wit:

Report of the Committee appointed to audit the accounts of the Committee to procure a vessel for the colony's service.

We, the subscribers, being appointed by the General Assembly, a committee, to audit the accounts of the gentlemen chosen to build the colony brig, herewith presented the following report, viz.:

We find the account exhibited by George Brown, Esq., to amount to £14,981 11s. 7d.; that of Obadiah Brown, Esq., to £4,063 19s.; and that of Mr. Joseph Sheldon, to £1,086 4s. 2d.; all which several sums, amounting in the whole, to £20,131 14s. 9d., we are of opinion ought to be allowed to the gentlemen respectively exhibiting the same; for that each of them have produced proper vouchers for the most material charges therein contained. And as to the several sums they have each drawn out of the general treasury, we have no certain knowledge.

JABEZ BOWEN,

NICHOLAS BROWN,

ELISHA BROWN,

NICH. TILLINGHAST,

Providence, March 16th, 1758.

And this Assembly, having taken the said report into consideration,—

Do vote and resolve, and it is voted and resolved, that the same be, and is, hereby accepted.

This Assembly do vote and resolve, and enact, and it is hereby voted, resolved and enacted, that all officers of every rank and order in this colony, who received commissions, whether civil or military, from the Honorable William Greene, Esq., the late deceased Governor, do continue in and execute their offices in the same manner and with the same powers and authorities, until the expiration of the time for which they were respectively chosen, as they might have lawfully done in the life of the said late Governor Greene; and His Honor the Governor, is requested to issue a proclamation accordingly.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that from and after the publication of this act, no fee shall be allowed at or by any court of justices within this colony, unto any person acting as an attorney or counsel before or in any such court.

Whereas, Col. John Andrews, one of the gentlemen that were appointed in behalf of this colony, to wait upon His Excellency the Earl of Loudoun, at the late congress, at Hartford, in the colony of Connecticut, exhibited unto this Assembly an account by him charged against the colony, for horse hire, and the expenses he was at in the journey, which he made on that occasion; and the said account being duly examined,—

This Assembly do vote and resolve, and it is voted and resolved, that the same be, and is hereby, allowed; and that the amount thereof, being £64 18s., old tenor; and £1 13s. 3d., lawful money, be paid the said Col. John Andrews, out of the general treasury.

And whereas, the aforesaid John Andrews, as colonel of the regiment of militia, in the county of Providence, exhibited the following account unto this Assembly,—

Colony of Rhode Island, Dr.

1757. March and April. To examining and mustering one hundred and twenty soldiers, and granting twenty-one warrants, and procuring ninety-four soldiers to be impressed in the county of Providence, in which I spent above five weeks' time in travelling to and from different parts of the regiment; that therein I judge my pocket expenses could not be less than £100, old tenor, which I humbly pray the General Assembly will order to be drawn out of the general treasury, by their humble servant.

JOHN ANDREWS.

And this Assembly having taken the premises into consideration,—

Do vote and resolve, and it is voted and resolved, that the foregoing account be, and the same is, hereby allowed; and that £100, the amount thereof, be paid the said Col. John Andrews, out of the general treasury.

Whereas, William Pendleton, Esq., colonel of the regiment of militia, in the county of Kings county, exhibited unto this Assembly an account by him charged against the colony, for the charges and expenses he was at in October, 1756, in sending and carrying warrants to his under officers, when the General Assembly ordered four hundred men to be raised; for his expenses in a journey which he made to Newport, in order to receive the bounty money, and for paying away the same; for his expenses in April following, whilst raising soldiers, and making up the quota of men ordered by the General Assembly; and for his expenses in raising one-sixth part of his regiment, in August, 1757, by order of the General Assembly; and the said account being duly examined,—

This Assembly do vote and resolve, and it is voted and resolved, that the same be, and hereby is, allowed; and that £71 4s., the amount thereof, be paid the said Col. William Pendleton, out of the general treasury.

This Assembly do vote and resolve, and it is voted and re-

solved, that His Honor the Governor, be desired to write unto General Abercrombie, requesting that payment be made for the hire of those vessels which were employed the last spring in transporting soldiers and stores from this colony to Albany; and also, that payment be made for the billeting the soldiers last spring, agreeably to the promise of the Right Honorable the Earl of Loudoun.

This Assembly do vote and resolve, and it is voted and resolved, that the speaker of the lower house, be, and he is hereby, appointed and requested to assist the general treasurer, in disposing of the bills of exchange, belonging to the colony, which were lately received of Christopher Kilby, Esq., His Majesty's agent victualler.

An Act for raising and paying one thousand able bodied and effective men, for the ensuing campaign, against His Majesty's enemies, in North America.

Whereas, the King has been graciously pleased to inform the colony, by letters from one of his principal secretaries of state, bearing date the 30th day of December last, that he is about to send a considerable reinforcement of land forces, with a powerful fleet, to make the most vigorous and extensive efforts to avert, by the blessing of God, on His Majesty's arms, the dangers impending on North America, and to carry the war into the enemy's country; expecting that the six northern provinces will raise twenty thousand men, to be joined to, and co-operate with his regular forces, for these great purposes; and this Assembly being highly sensible of His Majesty's paternal goodness, and willing to exert themselves to the utmost of their ability, for promoting the service,—

Do enact, and be it enacted by this General Assembly, and by the authority of the same it is enacted, that one thousand able bodied, effective men, including officers, be forthwith raised in this colony, to be employed in His Majesty's service; that they be formed into one regiment, over which shall be appointed a colonel, a lieutenant colonel and a major; and consist of ten companies; each of which, shall be com-

manded by one captain, two lieutenants and an ensign, except three of the said companies, which shall be under the immediate command of the three field officers, and have only two lieutenants and one ensign to each ; all of which, shall be chosen and appointed by this Assembly ; provided, nevertheless, that no captain shall receive a commission until he hath enlisted twenty men ; no lieutenant, until he hath enlisted fifteen, and no ensign, until he hath enlisted ten.

And be it further enacted by the authority aforesaid, that the officers shall receive the following wages, to wit :

The colonel, \$45 per month ; lieutenant colonel, \$38 per month ; and major, \$32 per month ; each captain, \$26 per month ; each captain lieutenant, \$23 per month ; each lieutenant, \$20 per month ; each ensign, \$15 per month ; each sergeant, \$8 per month ; each drummer, \$8 per month ; and each corporal, \$7 per month ; and the enlisting officers shall receive four shillings and six pence, lawful money, for every soldier they enlist into the service.

And for the encouragement of men to enlist,—

Be it further enacted by the authority aforesaid, that every able bodied man that enlists, shall receive a bounty of \$18, or £100, old tenor ; or £5 8s., of the bills of credit, emitted in August, 1756 ; and shall also receive one good blanket, one knapsack, and be provided with billeting from the time of his enlisting, until he leaves the colony ; and shall have the monthly wages of \$5,50, or £30, old tenor.

And further, his person, estate and bail (if any he hath,) during the time he shall remain in this service, shall be exempted from all arrests, executions and confinements for any debt, not exceeding £300, old tenor, due to one person.

And for supplying the treasury with money, to carry this act into execution,—

Be it further enacted by the authority aforesaid, that the treasurer shall hire gold and silver, and bills of credit, emitted in August, 1756, and give bonds for re-paying the same, in gold or silver ; together with six per cent. interest, on the 25th day of December, 1759 ; and also bills of the old

tenor, giving bond to re-pay the same, with interest, as aforesaid, in old tenor, or in silver, at the rate of \$1, for £5 10s., old tenor.

Provided, nevertheless, that if he shall not be able to hire a sufficient sum of money for the purposes, aforesaid, on the above mentioned terms, within twenty-five days from the rising of this Assembly, then, and in that case, that there be emitted and immediately put into the treasury, a sufficient sum of lawful money for the purpose, aforesaid, not exceeding £4,000 ; which money shall be printed from types, and in the following form, to wit :

The possessor of this bill shall be paid by the treasurer of the colony of Rhode Island, twenty-four shillings, lawful money, at the rate of six shillings and ninepence for one ounce of silver, within two years from the date thereof.

By order of Assembly, the 17th day of March, 1758.

And that the bills be of the denomination of 24s., 18., 12s., 6s., 3s., 2s. and 1s. ; and of 9d. and 6d. ; and that an equal number of each denomination be struck off and signed by any three of the following persons, who are hereby appointed for that purpose, to wit : Jabez Bowen, Jeremiah Lippitt, Joshua Babcock and Benjamin Nichols, Esqs. ; which money shall be received by the officers and soldiers in all payments for bounties and wages at the rate of six shillings for a dollar.

And for the calling in and redeeming said bills,—

It is enacted, that a rate or rates be assessed on the inhabitants of this colony, in such time that it may be collected and brought into the treasury time enough to redeem the whole of the bills to be so emitted, within two years from the date of said bills ; and that the whole of the rate or rates to be made for that purpose, shall be made in the same bills now ordered to be emitted ; or in silver, at the rate of six shillings and nine pence for every ounce ; or in gold, at a proportionate value ; and the gold and silver by those means drawn into the treasu-

ry, shall be immediately applied to redeem the outstanding bills to be by this act emitted.

And be it further enacted by the authority aforesaid, that the emitting of these bills nor any thing contained in this act, shall have any effect, or in any measure influence the old or new tenor bills formerly emitted by this colony, and now circulating; but that all bonds, mortgages, notes, accounts, covenants and contracts, made, given or subsisting in this colony, shall be deemed, construed and adjudged in every respect, as they would and ought to have been, if this act had never been made; any thing herein contained, that may seem to the contrary, notwithstanding.

And be it further enacted by the authority aforesaid, that for supplying the treasury with money to pay the wages of the officers and soldiers, upon their return home, a tax be assessed and levied upon the inhabitants of this colony, sufficient for that purpose, and be paid into the treasury by the time it shall be wanted.

And further, for re-paying the money, which shall be hired in consequence of this act, a tax shall be assessed and levied upon the inhabitants of this colony, in year 1759.

And be it further enacted by the authority aforesaid, that whoever shall discourage any person from enlisting, shall be fined £50, old tenor, or suffer thirty days' imprisonment, upon his being convicted thereof, before any three justices of the peace, in the county where such offence shall be committed; which aforesaid fine, shall be paid into the treasury of the town where the offence shall be committed.

And be it further enacted by the authority aforesaid, that the treasurer immediately deliver to the committee of war, all the money that now is in the treasury; and from time to time shall supply them with money for paying the bounties, and all other expenses that shall arise in consequence of this act.

And be it further enacted by the authority aforesaid, that the committee of war immediately collect together all the arms belonging to the colony, and have them forthwith put in order and made fit for service; and that they, or any of them, be

empowered to examine, upon oath, or otherwise, and finally decide any dispute or doubt that may arise concerning that clause of this act, which exempts soldiers from arrests for any sum not exceeding £300 ; and that they be, and hereby are, empowered and strictly required to carry all the parts of this act relative to their office, into execution, with the utmost despatch.

And further, that they have the same power and authority, during the recess of the General Assembly, as they have at any time heretofore been vested with.

Protest.

Benjamin Gardner, protests against that paragraph of the act for borrowing money on the government's credit, because the circumstances of the government, respecting the vast quantities of money we want, and the present circumstances our money is now in, I fear will end in the utter ruin of the greater part of the inhabitants of the government.

BENJ. GARDNER.

This Assembly do vote and resolve, and it is voted and resolved, that the sum of £10,000, old tenor, be allowed and paid out of the general treasury, towards carrying on the building of Fort George, on Goat Island, within the township of Newport ; nevertheless, there shall not be paid any part of the aforesaid sum, until the expense of raising the men by this Assembly ordered for the ensuing campaign, be first drawn out of the general treasury.

And it is further voted and resolved, that Capt. William Mumford, be, and he hereby is, appointed to carry on the said work.

Both houses being resolved into a grand committee, the gentlemen whose names are set down in the following list, were appointed officers, to command the regiment by this Assembly ordered to be raised for the ensuing campaign, to wit :

Field Officers.

Godfrey Malbone, Esq., colonel; Henry Babcock, Esq., lieutenant colonel; and Daniel Wall, Esq., major.

Captains.

John Whiting, of the fourth company.
 Ebenezer Jenckes, " fifth "
 James Tew, Jr., of the sixth company
 Samuel Rose, " seventh "
 Nathaniel Peck, " eighth "
 John Potter, Jr., " ninth "

First Lieutenants.

William Richmond, Jr., of the first company.
 Robert Hopkins, " second "
 Joshua Brown, " third "
 Giles Russel, " fourth "
 Benjamin Eddy, " fifth "
 Valentine Morse, " sixth "
 William Tripp, " seventh "
 Joshua Allen, " eighth "
 Edward Smith, " ninth "

Second Lieutenants.

Moses Palmer, of the first company,
 Thomas Park, " second "
 Philip Baker, " third "
 Sam'l Stoneman, " fourth "
 Geo. Shearman, " fifth "
 Abner West, " sixth "
 Oliver Reynolds, " seventh "
 Edward Talby, " eighth "
 Sam'l Saunders, " ninth "

Ensigns.

Eseck Carr, of the first company,
 Mitchel Case, " second "
 Nathaniel Bowdish, " third "
 Tamberlin Campbell, " fourth "
 Richard Smith, Jr., " fifth "

Thomas Tew, of the sixth company.
Caleb Tripp, " seventh "
Thomas Rose, " eighth "
Thos. Aylesworth, " ninth "
Lient. Giles Russel, adjutant.

This Assembly do vote and resolve, and it is voted and resolved, that Capt. Ebenezer Whiting, now in the colony's service, at Fort Edward, be, and he hereby is, empowered to enlist into the colony's service, for the ensuing campaign, so many of the soldiers of the company he now hath, as he can ; and that upon equal terms, with the soldiers ordered to be raised for the next campaign.

And it is further voted and resolved, that the four commissioned officers of the said company, be, and hereby are continued for the ensuing campaign.

This Assembly do vote and resolve, and it is voted and resolved, that the committee of war be, and they hereby are, directed to provide clothing, and deliver the same to such of the soldiers to be raised for the ensuing campaign, as they shall think stand in need thereof ; and charge what they so deliver, unto the account of the soldiers by them supplied.

This Assembly do vote and resolve, and it is voted and resolved, that the adjutant now appointed, shall be allowed the same wages as a captain, so long as he sustains the office of a lieutenant.

This Assembly do vote and resolve, and it is voted and resolved, that His Honor the Governor be, and he is hereby, requested, upon application from General Abercrombie, or the commander in chief of His Majesty's land forces, in North America, for the time being, to lay an embargo on all the shipping in this colony, for so long a time as His Honor shall think proper.

This Assembly do vote and resolve, and it is voted and resolved, that all the collectors of rates and taxes in this colony, who do not, within fifteen days after the rising of this Assembly, pay in the proportions of the bills of the old tenor, unto

them, respectively committed for collection, shall be sued by the general treasurer.

God save the King.

Governor Pownall to Lieut. Governor Gardner.

Boston, March 11, 1758.

Sir:—Yesterday I received His Majesty's orders to co-operate with the forces of this Province of the Massachusetts Bay, with His Majesty's regular forces in a general invasion of Canada.

I recommended the matter to the General Court, and the House this day came to an unanimous vote to raise a sufficient number of men for that purpose; and then determined that the number they would raise, should be seven thousand men.

It was thought proper that this Province should set the example. We have set the example, and I hope it will be cheerfully followed by the other governments without the least delay, that we shall answer His Majesty's expectations from us; and that, by the blessing of God, we shall now be able to put an end to those distresses which the colonies have so long suffered, and wholly to extirpate their barbarous and perfidious enemies.

I am, sir, Your Honor's most obedient, and most faithful servant,

T. POWNALL.

To the Hon. Lieut. Governor Gardner.

Governor Pownall to Lieut. Governor Gardner.

Boston, 14th March, 1758.

Sir:—The Legislature of this Province having this day passed an act for laying an embargo upon ships and other vessels in this Province, I herewith enclose a copy of said act; and as this appears to be a necessary measure, in order to carry on with vigor the operations of this year's campaign, I can make no doubt of the concurrence of your government therein.

It may be, in some instances, very expedient to grant permissions for vessels to pass from one government to the other; in all such cases, I shall be ready to allow the vessels of your government to return home, under proper restrictions; and I shall hope for the like indulgence towards vessels designed hither, with provisions or stores, as His Majesty's service may be hindered rather than promoted, by an adherence to the act in its utmost rigor.

I am, sir, your very humble servant,

T. POWNALL.

The Hon. Lieut. Governor Gardner.

General Abercrombie to Lieut. Governor Gardner.

New York, March 15th, 1758.

Sir:—Mr. Secretary Pitt, having, by his letter of the 30th of December last, informed me that the King having judged proper that the Earl of Loudoun should

return to England, and that His Majesty had been pleased to appoint me to succeed His Lordship, as commander in chief of the King's forces, in North America, with the same powers and authorities; and that it was His Majesty's pleasure, that all his governors on the continent, should apply to and correspond with me, on all matters relating to the King's service; to which end, he, the said Mr. Secretary Pitt, had written circular letters of the same date, with the foregoing, to all His Majesty's governors in North America; as, likewise, a second circular letter of the same day, setting forth the service His Majesty expected at this present crisis from his faithful and brave subjects in this part of the world; and both these letters having been transmitted to, and received by you; and they being so full and explicit, as to leave no room for any additions.

I shall therefore only beg of you to conform thereto, in every respect, and to give me the earliest notice possible, of the steps you shall have taken in consequence of them.

And that you will employ yourself with the utmost application and despatch, in obtaining as large a body of men, within your government, as the number of its inhabitants may allow, so that I may have a body of twenty thousand men at the rendezvous which I shall appoint.

I am further to observe to you, that I am particularly directed by His Majesty, to order an embargo to be laid, as soon as necessary, on all ships in the different ports of the respective provinces in North America; and as there is an absolute necessity for such an embargo at this present time, you will therefore cause the same to be forthwith laid on, in your province, and continue it until such time as you receive notice from me, for taking off the same; which you may be assured, will be as early as His Majesty's service will permit.

There is one thing more I must recommend to you, as being very essential: which is, in regard to such men as your province shall furnish, in consequence of the foregoing directions; for I cannot but observe to you, that in former levies of the provinces and colonies, the persons employed to collect them out of the militia, by their partiality, committed many abuses in excusing for some pecuniary consideration, the good ones from serving, and furnishing only indifferent ones.

Therefore, in order to prevent the like for the future, it would be proper that you should appoint a person of trust, who shall be directed to see such men fairly drafted out of your best militia, and have a power to reject those he shall judge unfit for service.

And as the body of men required by His Majesty of his faithful subjects on this continent amounts to a larger number than there are at present stands of arms in His Majesty's stores, I would therefore propose that every one of your men that have their own arms, would come prepared with them; as likewise with a powder horn, shot bag, and case for the lock of his gun, and also with a good blanket.

And His Majesty having been graciously pleased to order arms to be provided, therefore I do engage, that if any of the arms brought by the troops of your province be lost upon actual service, or through real use be no longer fit for such service, that in such case, upon due proof thereof, I will make the same good to the proprietors in money.

I am, with great regard, sir,

Your most obedient, humble servant,

To the Hon. John Gardner, Esq.

JAMES ABERCROMBY.

P. S. The embargo took place in this port, yesterday.

General Abercromby to Governor Hopkins.

New York, March 22d, 1758.

Sir :—As there is a large number of men to be raised in this country, pursuant to His Majesty's commands, signified to me, by Mr. Secretary Pitt's letter of the 30th of December last, which will require a much larger quantity of provisions (than was before apprehended to be necessary) for the effectual supply of this additional number of troops; which will render it requisite to impress all kinds of provisions for this service, I must therefore desire you, sir, that you will take the proper measures, that all such provisions as the army under my command may want, should be impressed, secured and delivered to the contractors, or their agents; they paying a seasonable price for the same.

And I desire that you will appoint proper persons to settle and fix an equal price between the owners and contractors, that there may be no ground or reason of complaint on either side.

And as by my letter of the 15th instant, I have applied to you, pursuant to His Majesty's commands, to lay an embargo on all vessels within the ports of your government, which may possibly prevent them from coming to New York with provisions for the army under my command, I must desire (in order that the difficulties your trade is laid under by the embargo, may be the sooner removed) that you will give permission to such vessels to come hither.

And that there may be no room for fraud or deceit, I would desire that the masters may be obliged to enter into bond, with sufficient sureties, in such a sum as you shall think proper, that they shall land the provisions in this port, and return a certificate within a reasonable time, of their having so done.

I am, with great regard, sir,

Your most obedient, humble servant,

JAMES ABERCROMBY.

To the Hon. Stephen Hopkins, Esq.

Governor Fitch of Connecticut, to Governor Hopkins.

New Haven, 25th March, 1758.

Sir :—The General Assembly of this colony considering the importance of a good harmony and agreement among the six northern governments, and in the troops they shall respectively raise for the ensuing campaign, hath judged it expedient that commissioners from the several governments should be appointed, and meet to confer and agree in such measures as may be proper, to excite and promote a uniform, expeditious and effectual proceeding therein; the Assembly hath therefore appointed commissioners on the part of this colony, accordingly; and as we make the proposal, it becomes necessary to appoint the time and place of meeting, to which I conclude no objections will be made.

I have enclosed a copy of the resolve of our Assembly, for your fuller information, and must request you to procure commissioners to be appointed on the behalf of your government, for this purpose.

It appears the more necessary to take this step (while the troops are raising) as the greatest number of the men to be employed in this part of the general plan, is

expected from these northern governments; and consequently, every thing that shall any ways tend to unite their efforts, and render the great expense they must be at, effectual, ought to be done by them, lest for want thereof, this great design should be frustrated, and all our endeavors prove abortive.

I am, sir, with very great regard,
Your most obedient, and most humble servant,

THOS. FITCH.

To Governor Hopkins.

*Proceedings of the Connecticut General Assembly, in relation to the
campaign for 1758.*

At a General Assembly of the Governor and Company of His Majesty's English colony of Connecticut, in New England, holden at New Haven, (by special order of the Governor of the said colony,) on the 8th day of March, in the thirty-first year of the reign of His Majesty, George the Second, King of Great Britain, &c., Anno Dom. 1758.

Whereas, His Honor the Governor, hath laid before this Assembly, a letter from the Right Honorable William Pitt, one of His Majesty's principal secretaries of state, dated December 30th, A. D. 1757, signifying His Majesty's most gracious intentions to make the most vigorous and extensive efforts to avert the impending dangers on North America, and intimating his royal expectation that all his faithful and brave subjects here will cheerfully co-operate with and second to the utmost such attempts for our own preservation and defence.

Therefore, the better to facilitate this great and important enterprise, and to unite with the governments of the Massachusetts Bay, New Hampshire, Rhode Island, New York and New Jersey, to contribute every thing in the power of these colonies, to render effectual this undertaking; that nothing may be wanting, that can by the governments be done, for obtaining the wished for success,—

This Assembly do appoint Ebenezer Silliman, Jonathan Trumble and William Wolcott, Esqs., to be commissioners in behalf of this colony, to meet with such gentlemen as may be duly appointed by any or all of the aforementioned governments, at Hartford, on the 19th day of April next, or as near that time as may be, there to confer upon all proper matters relative to the ensuing campaign; and to consult upon proper measures to excite a vigorous, united and uniform proceeding therein, to prevent any delays that may otherwise happen, and to render effectual their active and cheerful services to promote His Majesty's interest, and faithfully pursue his orders; and of the whole result of such their conference and the various matters and things that may be agreed on, to make report to His Honor the Governor.

And it is further resolved, that His Honor the Governor, be desired as soon as may be, to send expresses to the aforementioned governments, to acquaint them with this proposal, and to desire them to appoint commissioners for such purposes, to meet at time and place abovesaid; and His Honor the Governor, is desired to commission the above named gentlemen, accordingly. A true copy.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1758.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

FREEMEN ADMITTED.

Whereas, all and every of the persons, whose names are inserted in the subsequent roll, have taken the oath or affirmation prescribed by the law of this colony against bribery and corruption in electing public officers, as appears by proper returns from the respective town clerks,—

It is therefore voted and resolved, that they, and every of them be, and hereby are, admitted and made free of the colony, and may therefore lawfully give their votes to choose officers, not only for their respective towns, but also in the choice of general officers.

Newport—Elnathan Hammond, John Arnold Hammond, Stephen Fry, Jabez Champlin, Henry Hunter, John West, William West, Nathaniel Bird, Philip Peckham, Robert Taylor Shearman, Job Easton, Benjamin Tayer, Thomas Crowley, Thomas Attwood, Peleg Carey, Job Bissel, Benjamin Greene, George Hall, Thomas Tillinghast, Jonathan Chadwick, George Cornel, Ebenezer Rumreil, Mathew Cozzens, Simon Pease, Jr., Abraham Dennis, Thomas Hudy, Henry John Overing, Thomas Eyres son of Nicholas; Benjamin Brown, John Stearns, May Davis, James Tew, Jr., Reuben Peckham, Jethro Spooner, Henry Lyon, Ebenezer Grey, Joseph West, Latham Clark, John Gardner, son of William; Isaac Lawton; Joseph Rodman, Ignatius Battar, William Richardson, Benjamin Dunham, Benjamin Sanford, Job Snell, Samuel Nichols, William Gardner, son of Benoni; Greene Rogers, Edward Dyre, Edw'd

Church, Peter Simon, Benjamin Bosworth, Jacob Stockman and Samuel Pitman, blacksmith.

Portsmouth—Giles Lawton and Joseph Kerby.

Warwick—Thomas Greene, son of Fones ; Isaac Tripp, John Rice, Hugh Essex, Samuel Budlong, George Briggs and Thos. Greene, son of Nathaniel.

Westerly—Jona. Foster, James Babcock, Jr., Christ. Babcock, Robt. Burdick, Jr., Josh. Babcock, Jr., John Bliven, John Bliven, Jr., Isaac Varse, Jr., William Vinsent, William Bromley, Samuel Pendleton, Charles Hall, Stephen Gavit, Henry Babcock, Henry Mulkin, Isaac Hall, Thomas Ross and Abraham Lewis.

North Kingstown—John Congdon, Jr., Rouse Northup, Stukeley Westcoat, Frederick Phillips, John Reynolds, tailor ; Christopher Fowler, Jabez Reynolds, Jr. ; Samuel Fones, James Northup, John Sweet, son of Benjamin ; Thomas Rathbone and Eber Sweet.

South Kingstown—Enoch Haszard, Daniel Shearman, Jr. and Elisha Watson.

East Greenwich—Pardon Tillinghast, Samuel Vaughan, Benedict Hambelton, John Wightman, son of James ; Elvin Briggs, Samuel Tarbox, son of John ; Thomas Wells, Abraham Greene, Caleb Lawton, Benjamin Bennett and Henry Straight.

Jamestown—John Weeden.

Smithfield—Jeremiah Smith, Jr., Obadiah Herenden, Peter Teft, Jr., Jonathan Gulley, Ahab Wilkinson, Noah Smith, Jeremiah Phillips, James Teft, Eliezer Brown, John Farnom, Chas. Angell, John Austin, Benjamin Whipple, Richard Harris, Jr., Arnold Pain, Uriah Harris and Samuel Comstock.

Scituate—Jonathan Seamans, Jeremiah Smith, Hugh Cole, William West, Zebedee Hopkins, Oliver Potter, Wm. Turner, Thomas Place, Edward Hoar, Peter Eddy, Elisha Bowen, Josiah Colvin, Abner Hopkins and Elisha Franklin.

Glocester—William Coman, Jr., Richard Eddy, Samuel Steere, John Hambleton, Uriah Hawkins, William Dean,

Anthony Place, Stephen Steere, Oliver Arnold, Zephaniah Andrews, James Leonard and Joseph Keech.

Charlestown—Stanton York, Tobias Saunders, Henry Welch, John Stiles and George Pooler.

West Greenwich—Robert Hopkins, Robert Haszard, Samuel Hopkins, Robert Carr, Thomas Tillinghast, Zerobabel Matteson and William Jenckes.

Coventry—Francis Colegrove, John Fox, Job Baker, John Arnold, Benjamin Foster, Joseph Johnson, William Chace, William Weaver, John Perkins, Edward Spaulding, Simeon Babcock, Joseph Bennett, Benjamin Dexter, Moses Burlingame and Sylvester Sweet.

Exeter—William Allen, Josiah Barber, Hezekiah Hoar, William Gardner, John Nye, Jonathan Lewis, Jr., Tillinghast Bentley, Robert Reynolds, Jr. and Ebenezer Moon, Jr.

Middletown—Joseph Durfee, Samuel Mumford, Henry Tew, Jr., William Peckham, son of Samuel; John Gould, Jr., Giles Barker, William Peckham, the 3d; and Jonathan Anthony.

Bristol—William Martindale, Nathaniel Diman and Nathan Munro, son of Bennett.

Tiverton—John Wilcock, Edward Sowle, Ebenezer Fish, Samuel Crandall, William Wilcock, Jr., Thomas Tripp, Daniel Fish, Thomas Gray, Jr. and Stephen Gifford.

Little Compton—William Carr, William Brown, Benjamin Stoddard and Nathaniel Stoddard.

Cumberland—Abraham Follet, Nathan Arnold, Ephraim Allen, Benjamin Allen, Moses Whipple, Timothy Ide, James Cargill, Roger Braley, William Peters, David Caswell, Israel Whipple, Jr., Joseph Lee, John Burlingame, Benjamin Walcott, Peace Clarke and Uriah Clarke.

Richmond—William Kinyon, Giles Kinyon, Peter Boss and Jonathan Irish.

Hopkinton—John Brown, William Guild, William Barber, Charles Bowen, Rowland Robinson, Timothy, Jr., Stephen Larkin, Joseph Reynolds, Jr., David Tanner, Elias Lewis, John Burdick, Nathan Barber, Nathaniel Kinyon, John Latham and Matthew Wells.

The following officers, declared elected, were duly engaged :

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

| | |
|-----------------------|---------------------------|
| Mr. James Honeyman, | Mr. Joseph Brownell, Jr., |
| Mr. Nicholas Easton, | Mr. Joseph Edmunds, |
| Mr. Elisha Brown, | Mr. Jonathan Randall, |
| Mr. Gideon Comstock, | Mr. Daniel Coggeshall, |
| Mr. William Richmond, | Mr. Jeoffrey Watson, |

DEPUTIES.

| <i>Newport.</i> | <i>Westerly.</i> |
|------------------------------|--------------------------|
| Lieut. Col. Benj. Wickham, | Capt. Joseph Stanton, |
| Mr. Edward Scott, | Mr. Joshua Babcock. |
| Mr. Peter Bours, | <i>New Shoreham.</i> |
| Lieut. Col. Joseph Wanton, | Capt. Robert Hull, |
| Capt. Daniel Ayrault, | Mr. Nathan Littlefield. |
| Mr. William Read. | <i>North Kingstown.</i> |
| <i>Providence.</i> | Mr. Ebenezer Brown, |
| Mr. Obadiah Brown, | Mr. James Gardner. |
| Capt. Charles Olney, | <i>South Kingstown.</i> |
| Mr. William Smith, | Mr. Jeoffrey Haszard, |
| Lt. Col. Barzillai Richmond. | Mr. Stephen Haszard, Jr. |
| <i>Portsmouth.</i> | <i>East Greenwich.</i> |
| Mr. Francis Brayton, | Major John Arnold, |
| Mr. John Shearman, Jr. | Mr. Giles Peirce. |
| Mr. Walter Cornell, | <i>Jamestown.</i> |
| Capt. Robert Barker. | Mr. Joseph Clarke, |
| <i>Warwick.</i> | Capt. Wm. Haszard. |
| Mr. Othniel Gorton, | <i>Smithfield.</i> |
| Capt. Randall Rice, | Mr. Thomas Arnold, |
| Capt. James Arnold, Jr. | Mr. Jeremiah Mowrey. |
| Mr. John Warner, Jr. | <i>Scituate.</i> |
| | Capt. Job Randall, |
| | Mr. Jeremiah Angell. |

DEPUTIES.

Glocester.

Capt. Timothy Wilmarth,
Mr. Benjamin Smith.

Charlestown.

Capt. Robert Potter,
Mr. Joseph Hoxie.

West Greenwich.

Mr. Benjamin Gardner,
Mr. Tibbits Hopkins.

Coventry.

Mr. Caleb Greene,
Major Stephen Potter.

Exeter.

Capt. John Reynolds,
Mr. Benoni Hall.

Middletown.

Mr. William Bailey,
Mr. John Barker.

Bristol.

Mr. Joseph Russel,
Mr. William Peirce.

Tiverton.

Mr. Samuel Durfee,
Mr. John Bowen.

Little Compton.

Mr. William Hall,
Mr. Constant Southworth.

Warren.

Capt. Josiah Humphreys,
Mr. Thomas Cole.

Cumberland.

Mr. Jeremiah Whipple,
Mr. John Dexter.

Richmond.

Mr. John Webster,
Capt. Nicholas Larkin.

Cranston.

Mr. John Dexter,
Mr. William Burton.

Hopkinton.

Major Joshua Clarke,
Capt. Edward Wells, Jr.

Peter Bours, Esq., speaker, and Josias Lyndon, Esq., clerk.

Mr. Thomas Ward, secretary.

Mr. Augustus Johnson, attorney general.

Mr. Thomas Richardson, general treasurer.

The Hon. John Gardner, chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. George Gardner. Providence county, Mr. Allen Brown. Kings county, Mr. Beriah Brown. Bristol county, Mr. Nathaniel Bosworth. Kent county, Mr. Stephen Arnold.

COLONELS OF THE SEVERAL COUNTIES.

Newport county, Mr. Josias Lyndon. Providence county, Mr. John Andrews. Kings county, Mr. William Pendleton. Kent county, Mr. Benoni Waterman.

It is voted and resolved, that every soldier, who hath already enlisted, or may hereafter enlist into His Majesty's service, in the pay of this colony, for the ensuing campaign, shall (as well as every officer) have the sum of £10, lawful money, given him upon his return into the colony; or in case of death, unto his legal representative, that is to say,—if the country of Canada be conquered and reduced unto His Majesty's obedience.

It is voted and resolved, that a commissary be appointed for the ensuing campaign; but he shall not have liberty to supply the forces on his own account, with any sort of necessaries, which shall be provided by the colony.

It is also voted and resolved, that the wages of the officers and soldiers be paid up as near as conveniently may be, to the time of their embarkation; and have one month's pay advanced, that they proceed upon the expedition according to the orders His Excellency General Abercromby shall give.

And in consideration that the officers have no table expenses allowed them,—

It is further voted and resolved, that the colonel's wages be augmented to \$50 per month; and that the wages of the other field and commissioned officers, be augmented in the same proportion.

It is also voted and resolved, that the delivery of the clothing unto the soldiers, be left to the discretion of the committee of war; and that every soldier who shall produce a good blanket, to carry with him in the expedition, shall be allowed the sum of £13, old tenor, for it; and three-quarters of a dollar per month, over and above his monthly wages, to be paid him in the camp, for buying liquor, and other small necessaries; that every apprentice who hath enlisted already, or may hereafter enlist into the present expedition, shall have the whole bounty, and half of his wages to his own proper use;

and the master shall have the other half of all his apprentice's wages, from the time of his enlisting, until the day of his discharge.

And it is further voted and resolved, that the committee of war procure, upon the best terms they can, a good surgeon, with a good surgeon's mate, and a doctor's chest ; and that all such of the soldiers as enlisted for the ensuing campaign before the last session of the General Assembly, whose wages and billeting did not amount to £100, at the rising of the said Assembly, shall have a bounty sufficient to make up the same £100.

Both houses being resolved into a grand committee, chose a committee of war, to consist of the gentlemen whose names immediately follow, to wit :

His Honor the Deputy Governor, Daniel Jenckes, Thomas Cranston, Peter Bours, Robert Potter, Nathan Rice and Abraham Smith, Esqs. ; Henry Babcock, Esq., Colonel and John Potter, Jr., Esq., lieutenant colonel of the regiment raising in this colony, to go against His Majesty's enemies, in the ensuing campaign.

It is voted and resolved, that all the papers relating to the sloop Dolphin, that were brought to Newport in the flag of truce, of which Capt. Joseph Bull was late master, and which are now in the hands of the Hon. William Ellery, Esq., be delivered to the sheriff of the county of Newport, he giving a receipt therefor ; and that the said sheriff, upon his receiving the same, deliver them unto the secretary, taking his receipt ; and that all persons concerned in the said papers, have liberty to take copies.

It is voted and resolved, that the considerations respecting the colony vessel, be postponed until the next session of this Assembly ; and that, in the mean time, her bottom and upper works be secured against the worms and inclemency of the weather, by the gentlemen that were appointed to build the said vessel.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that for the more speedy com-

pleting the regiment to be raised in and by this colony, the number of companies be altered and augmented from ten to thirteen ; and that no officers be appointed for the three additional companies at present ; but that instead thereof, enlisting orders be given by the committee of war to all such persons as are suitable, and desire the same ; that those who first return a sufficient number to entitle them to any commission, agreeably to the act of the last Assembly, shall receive their commissions immediately ; that those who may have enlisted some men, but not enough to entitle them to commissions, and shall return them into the service, shall receive a reward of \$2 for each man so enlisted and returned ; that the officers who were chosen at the last General Assembly, and have entered on the service, and enlisted part of their men, but not enough to entitle them to commissions, have still power to go on and complete their quotas ; and in case they return a sufficient number to entitle them before any other enlisting officer, they shall receive the commission ; but if any other receiving enlisting orders, shall enlist as many men as will entitle him to such a commission before such officer appointed by the Assembly, he who first returns a sufficient number, shall receive the commission ; and that the enlisting officers shall enlist into the regiment for the intended expedition without mentioning under the command of any particular captain.

An Act for repealing an act made and passed by this General Assembly, at their session in Newport, on Monday, the 13th of June last, entitled " An act further to prevent the inhabitants of this colony from carrying on any trade or commerce with the French."

Whereas, all the British subjects in North America, except those of this colony, are allowed to carry on trade and commerce with the subjects of His Catholic Majesty, at a place in the West Indies, under his jurisdiction, called Monti Christo, upon the island of Hispaniola, and no bad consequence can attend such a traffic,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the act aforesaid, with every clause and article thereof, be, and hereby is, annulled and repealed.

Protest.

We, the subscribers, dissent from the vote of the lower house, for repealing the act of the General Assembly, whereby all vessels were prohibited from carrying on any trade to Monti Christo ; by reason we apprehend that Monti Christo is but a small port, and the produce thereof, but very small, and so near Fort Dolphin, a port in the French king's dominions, where we apprehend all trade carried on to Monti Christo, is only under a pretence to trade at said Fort Dolphin.

JOHN BARKER,

WILLIAM HALL,

SAMUEL DURFEE,

ROBERT POTTER,

JOSHUA CLARKE,

OTHNIEL GORTON,

EBENEZER BROWN,

BENJAMIN GARDNER.

TIBBITTS HOPKINS,

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to issue a proclamation, forthwith, to make public the encouragement given persons to enlist into His Majesty's service, in the pay of this colony.

It is voted and resolved, that the embargo laid on the shipping and navigation of this colony, in consequence of His Honor the Governor's proclamation of the 20th of March last, be, and hereby is, further continued until it shall be otherwise ordered by the General Assembly, or His Honor ; who is hereby requested to issue proper directions, for the purpose, aforesaid, unto the collector of His Majesty's customs, to the naval officer and captain of the fort in this colony.

It is voted and resolved, that the committee of war be, and they are hereby, jointly and severally appointed muster masters, for viewing and examining all the soldiers that are, and shall be enlisted in this colony, for the ensuing campaign ; and

to pass all such as shall appear to be able bodied, effective men ; rejecting those that appear unfit for service.

It is voted and resolved, that the gentleman who shall be appointed commissary to attend the troops of this colony, in the ensuing campaign, shall give bond, with two good sureties to the general treasurer, in the sum of £10,000, lawful money, for his, the said commissary's, conducting himself honestly and faithfully in the execution of his office.

This Assembly do choose and appoint Mr. Joseph Coggeshall, of North Kingstown, commissary, to attend the forces raised, and to be raised in this colony, for and during the ensuing campaign ; and that his pay be the same as a captain's.

It is voted and resolved, that the colonel of the regiment raising in this colony for the ensuing campaign, request of the commander in chief of His Majesty's forces, to appoint some suitable person, belonging to the said regiment, to be sutler ; and that the committee of war furnish the person so appointed, with all necessaries that they shall think proper to supply our troops with, at a reasonable rate.

An Act for emitting, in bills of credit, a sum not exceeding £10,000, lawful money.

[This act was passed with the following protest:]

Protest.

We, the subscribers, protest against that paragraph of the act for making £10,000, to carry five per cent. interest ; for that the interest is much too high ; and three per cent., in our opinion, is high enough ; and that, as it now stands, the greatest part of the money will be hoarded up, and the consequence will be, that the poor must pay five per cent. interest to the rich, for the money they have lying by them in their chests.

JOHN BARKER,

JOSEPH STANTON,

OTHNIEL GORTON,

JAMES GARDNER.

EBENEZER BROWN,

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the gentlemen appointed to sign bills of public credit, be under oath for the faithful performance of the trust committed to them in that behalf, and receive half per cent. in the same bills, as a reward for their service.

God save the King.

General Abercromby to Governor Hopkins.

New York, May 8th, 1758.

Sir :—Having by my letter of the 15th of March last, acquainted you that it was absolutely necessary for His Majesty's service, that an immediate embargo should be laid on all ships in the different ports of the respective provinces in North America, and accordingly did desire you forthwith to publish the same, and to continue it until such time as you received notice from me to take it off; which notice I then promised should be transmitted to you as soon as His Majesty's service would allow of it.

I am therefore now, pursuant to the above promise, to acquaint you that the fleet being sailed for Halifax, I have fixed on Monday, the 22d instant, for the said embargo to be taken off; and you will accordingly publish the same, within all the respective ports of your government.

I have deferred it till then, in order that it might take place at one and the same time in all His Majesty's other governments on this continent; wherefore I must desire that you will strictly observe and continue the said embargo until that day.

I am, with great regard, sir,

Your most obedient, humble servant,

JAMES ABERCROMBY.

To the Honorable the Governor of Rhode Island.

General Abercromby to Governor Hopkins.

Albany, 15th May, 1758.

Sir :—Since your two letters of the 20th and 27th of March, in answer to mine, of the 15th and 22d of the same month, I have not had the pleasure of hearing from you; whence, I imagine, that your levies have been successful, and that the regiment of one thousand men your Assembly have voted, are quite complete and properly equipped with every thing necessary to take the field.

I must therefore desire that you will, upon receipt hereof, issue orders for their immediate march to this place, which must not meet with any delay, as the season advances fast, and the time prescribed by Mr. Secretary Pitt's letter to you for beginning the operations of the campaign, is already elapsed.

I am, with great regard, sir,

Your most obedient, humble servant,

JAMES ABERCROMBY.

To the Hon. Stephen Hopkins.

Secretary Appy, of New York, to Governor Hopkins.

Albany, June 15, 1758.

Sir:—Col. Babcock arrived here yester evening, and delivered me your letter, for General Abercromby, of the 9th inst., acquainting him that the greatest part of the regiment was embarked, and the remainder would very soon follow them.

It is to be hoped they will meet with a good passage, as all the regular forces and part of the provincials have been up at the fort some time, and some of them set out for Lake George.

It were also to have been wished, that your colony had been able to have furnished their regiment with more than five hundred arms, as those and the tents, that were ordered out from England, are not yet come; but we are in daily expectations of hearing of their arrival at New York. This disappointment has been a great baulk: but, however, I hope we shall be able to furnish your regiment with four hundred arms.

As to field equipage, all the governments and colonies have furnished their troops with them, and I make no doubt but your colony will have also provided their regiment with such; as it is an article that the King, even, does not allow to the regular troops, who purchase the same out of their pay; consequently, no provision is made for it by the crown.

With regard to billeting or provision money, your colony shall be upon the same footing with all the others, in that, as well as every other respect; the allowance is four pence sterling, per day, from the day of enlistment to that of their receiving the King's provisions; wherefore, upon their arrival at Albany, every captain gives in a return of his company, to the colonel, who makes an abstract of the whole, signs the same, and presents it to the deputy quartermaster general, who orders the payment of it.

I have the honor to be, with great regard, sir,

Your most obedient, and most humble servant,

J. APPY, Secretary.

To the Hon. Governor Hopkins.

Col. Babcock to Governor Hopkins.

Albany, 15th June, 1758.

Honorable Sir:—After setting out from Westerly, on a Sunday afternoon, I arrived at Albany last night, when I found that General Abercromby had marched up to Fort Edward. I immediately waited upon Mr. Appy, his secretary, and delivered to him Your Honor's letter, who writes by Mr. Stanton. I have the pleasure to inform Your Honor, that we can be supplied with tents and four hundred arms.

I can't but hope that the General Assembly will fall upon some method of expeditiously raising the remainder of the troops, and that Your Honor would recommend the clothing of the men, not to say any thing of the credit it would be to the government; but their appearance will be vastly more formidable and much better, and they would look upon themselves as if they were better troops than those

that are dressed in a loose shabby manner; and I dare say, if they are called to action, they will behave more gallantly.

We have heard that the store ship, with arms and troops, has arrived at New York; if so, we shall be in no want of them.

I am, &c., &c.,

HENRY BABCOCK.

To the Hon. Stephen Hopkins.

The Committee of War, of Rhode Island, to Governor Hopkins.

Newport, June 29, 1758.

Sir:—The enclosed letter to Col. Babcock, will show Your Honor the occasion of our addressing you at this time.

We have received advice that the store ship is arrived, with the arms and tents for the American troops; which, together with the want of arms in the government, moved us to write to the colonel. As Your Honor has written to the general, and Dr. Hunter set out this morning for Providence, in his way to Albany, we must beg you to interpose in this case, by a letter to the general, and directions to Col. Babcock, that may (if it be your judgment) coincide with what we have written him.

We are Your Honor's most obedient humble servants,

PETER BOURS,

J. GARDNER,

Committee of War.

To Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on Monday, the 12th day of June, 1758.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that His Honor the Governor, with the committee of war, be, and they are, hereby appointed to make inquiry into the charge this colony was at in the expedition carried on against His Majesty's enemies in the years 1756 and 1757, which the crown is to pay; and thereupon draw up authentic accounts of the same, to be by His Honor transmitted home as soon as conveniently may be.

It is voted and resolved, that Obadiah Brown, Joshua Babcock and Job Randall, Esqs., be, and they hereby are, appointed a committee, to inquire into the state of the treasury; how

much money the treasurer has hired for the colony's use ; and to distinguish how much and what sort of money he has hired by each and every order or act of Assembly ; and also to consider what rate or rates is or are necessary to be assessed, and make report as soon as may be.

Whereas, Benjamin Miller and John Cole, Esqs., and Edward Bosworth, yeoman, all of Warren, in the county of Bristol, preferred a petition, and represented unto this Assembly, that they had received of Joseph Munro and his associates (who were lately convicted of counterfeiting bills of credit emitted by this colony,) eight £16 bills, of the said counterfeit money, for which they, the petitioners, rendered a valuable consideration ; that whereas, a considerable estate in this colony, belonging to the said Munro, was forfeited to the government by his conviction, and sold by the sheriff of the county of Bristol, and the general treasury, for the colony's use ; that the petitioner's expecting the general treasurer would redeem those counterfeit bills, applied to him for that purpose ; but was informed there was no provision or order made, directing him to do so ; whereupon, they prayed some proper remedy might be provided for their relief.

On consideration whereof, it is voted and resolved, that Joseph Russell, Esq., and Nathaniel Bosworth, Esq., sheriff of the county of Bristol, be, and they are hereby, appointed a committee, to sell at vendue, to the highest bidder, (after proper notice hath been given,) all such estate as the above named Joseph Munro had, in any lands within this colony, at the time of his conviction ; and deposit the money arising from such sale, in the general treasury, to be appropriated as by law it ought.

It is voted and resolved, that Obadiah Brown, Esq., and Mr. William Read, be, and they hereby are, appointed a committee, to dispose of the colony's vessel to the best advantage ; either by a private sale, or public vendue, first giving notice thereof, in the Boston newspapers.

It is voted and resolved, that Lieut. Col. Stephen Potter, be, and he hereby is, appointed in the room of Mr. Benjamin Gard-

ner, one of the committee, to make inquiry what quantity of iron, and out of what materials hath been made in this colony, from Christmas in the year of our Lord 1749, until the 3d day of January, 1756 ; and that the said business be done with all possible despatch ; that an account thereof, may be immediately sent home to the board of trade.

An Act to prevent the detaining or secreting soldiers already enlisted, or that may be hereafter enlisted into His Majesty's service, in this or either of the neighboring governments, in New England.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that every person in this colony, who shall detain or secrete any soldier that is already enlisted, or may hereafter enlist into His Majesty's service, in this, or either of the neighboring governments, in New England, for the present or any future expedition that may be set on foot in this colony ; or that shall detain any of the clothing of such soldier, on any account or pretext, whatsoever ; or that shall attempt to carry out of the colony a soldier enlisted, as aforesaid, the offender being duly convicted thereof, in any court of record within this colony, shall forfeit and pay as a fine to the King, the sum of £500, old tenor ; to be recovered by the general treasurer ; who is hereby empowered and directed to sue for the same ; which fine shall be appropriated to, and for the use of the colony.

And the secretary is hereby directed to publish this act, forthwith, by beat of drum, in the town of Newport.

Which was accordingly done, the 17th day of June, 1758, at the colony house, and three other of the most public places in the town of Newport, by THO. WARD, Sec'ry.

God save the King.

General Order in relation to the Capitulation of Fort William Henry.

Fort Edward, June 25, 1758.

The enemy having become masters of Fort William Henry, by virtue of a capitulation, made upon the 9th of August last; which capitulation, they immediately broke in a most notorious and flagrant manner, by murdering, pillaging and captivating many of His Majesty's good subjects, in violation of the said capitulation, as well as of the law of nations :—

Upon these considerations, and in honor and justice to His Majesty's arms, Major Gen. Abercromby hereby declares the said capitulation null and void; and that all officers and soldiers serving the 9th of August last, at Fort William Henry, are hereby empowered and commanded to serve in the same manner as if no such capitulation had ever been made. All which, Maj. Gen. Abercromby has notified to the Governor General of Canada, signifying to him, at the same time, that if any of His Majesty's subjects, supposed to be comprehended in the said capitulation, may fall into the enemy's hands, and any violence follow thereupon, he will retaliate on the persons of the French prisoners now in his hands, as well as on all such as shall be taken hereafter by sea or land.

The above to be published at the head of every corps in His Majesty's service, in North America.

General Abercromby to the Marquis de Vaudreuil, Governor General of Canada.

Extract of a letter from His Excellency Major General Abercromby, commander in chief of all His Majesty's forces in North America, to His Excellency the Marquis de Vaudreuil, Governor General of Canada, bearing date at Fort Edward, June 26, 1758.

Sir:—I have the honor of Your Excellency's letter of the 4th of June, with sundry enclosures, in relation to the capitulation of Fort William Henry, made the 9th of August last.

Without entering into a discussion of particulars, give me leave to acquaint Your Excellency, that a breach of that capitulation on the part of the forces of the king, your master, immediately after the surrender of that fortress, was so notorious, contrary to the good faith which subsists amongst all nations, that in honor and justice to the King, my master, who has entrusted me with the command of his troops in North America, I think myself obliged to look upon that capitulation as null and void; which I have signified to all his governors and commanders by sea and land in North America.

I persuade myself, that upon due consideration, Your Excellency will be convinced of the justice of my proceedings, in respect to the capitulation; and that nothing can induce you so far to lay aside humanity, as to offer the least violence on the person of any of His Majesty's subjects, civil or military, comprehended in that capitulation, that may unfortunately fall into your hands; as I must myself be obliged, as well as His Majesty's other commanders, both by sea and land, to make

retaliation on all subjects of His Most Christian Majesty, that are now prisoners amongst us, or who may hereafter fall into our hands.

Allow me further to acquaint Your Excellency, that I am determined to carry on the war with all possible humanity, agreeably to the intentions of the King, my master ; and nothing shall engage me to pursue contrary measures, but a failure in that respect on the part of the troops of the king, your master.

Secretary Appy to Governor Hopkins.

Albany, 30th June, 1758.

Sir :—General Abercromby having lately received, by a flag of truce, a letter from M. Vaudreuil, Governor General of Canada, insisting on the immediate execution of the capitulation of Fort William Henry, and summoning His Excellency, agreeably to the terms thereof, forthwith to send back to him, all the French king's subjects in our possession, that we have taken prisoners since the commencement of the present war, until the 9th of August last, the day of the date of the said capitulation, His Excellency, in answer thereto, has judged it proper to declare the capitulation null and void, by reason of its being notorious, that the enemy have been guilty of an open breach of the same, by a violation of the laws of humanity and of nations.

Wherefore, he has given it out, in his public orders of the 25th instant, that all officers and soldiers taken at the attack and surrender of Fort William Henry were liberated from the restraint they laid under, of serving His Majesty ; and therefore enjoined and commanded all such as theretofore had been comprised under the said restraint, to act in the same manner as if the said capitulation had not existed ; and that no one, whom it might concern, should plead ignorance thereof, he likewise commanded that the said orders should be published at the head of every corps in His Majesty's service in North America.

And by his letter, of the 28th of the same month, to M. Vaudreuil, he acquaints him with the resolution he had come to, and the reasons for the same ; adding that he should signify the like, to all His Majesty's governors and commanders by sea and land, in North America, aforesaid ; for which purpose, I have the honor to herewith, transmit to you a copy of the said orders, and an extract of His Excellency's letter to the Governor General of Canada.

I have the honor to be, with the greatest regard, sir,

Your most obedient, and most humble servant,

J. APPY.

To the Hon. Stephen Hopkins, Esq.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the 21st day of August, 1758.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, Henry Babcock, Esq., colonel of the regiment by this colony raised for the campaign of the current year, hath by letter, informed the committee of war that Mr. Caleb Hacker, captain of a company in the said regiment, hath returned without leave of the said colonel, or letting him know of it; which conduct of him, the said Hacker, if passed by unnoticed, may be attended with very pernicious consequences;—

Wherefore, it is voted and resolved, that the committee of war do, as soon as conveniently may be, send the said Caleb Hacker back again to the army, that he may be dealt with according to law.

It is voted and resolved, that the sheriff of the county of Newport, sell the broken arms belonging to the colony, at public vendue, on Thursday next, at 2 o'clock, in the afternoon.

What follows, is a report presented by the gentlemen who signed the same; unto which, is subjoined their oaths:

Report of the Committee appointed to take an estimate of the ratable estates and number of polls in the town of Bristol.

“We, the subscribers, being appointed by the General Assembly of this colony, at their session in March, 1758, to take an estimate of all the ratable estates and number of polls in the town of Bristol; and having pursued the direction of the law in that case made and provided, do report as follows, viz.:

We find the amount of all the ratable estates to be £731-

813 12s. ; and the number of polls one hundred and eighty-three.

NATHANIEL PEARSE,
THOMAS THROOPE,
ROYAL PAYNE."

Bristol, August, 1758.

"Bristol ss. On the 18th day of August, A. D. 1758, appeared the above subscribers, and made solemn oath, that the above estimate or valuation of the ratable estates, and number of polls in the town of Bristol, is made according to the best of their knowledge.

Test. SHEARJASHUB BOURN, Just. Peace."

And this report being duly examined and considered,—

It is voted and resolved, that the same be, and hereby is, accepted.

It is voted and resolved, that His Honor the Governor be, and he hereby is, requested to make earnest application unto His Excellency General Abercromby, for pay for the hire of the vessels employed in the transportation of the troops raised last year in this colony, to Albany ; and that in the mean time, the committee of war settle with the owners of the said transports, and pay them for the hire of their said vessels.

It is voted and resolved, that the committee of war be, and they hereby are, directed to pay for all the small arms that were either impressed or hired for the colony's service several years past, and have not been returned to the owners ; and that the payment be according to appraisement, and the true value of our money at the time of their being hired or impressed.

Whereas, it appears unto this Assembly, that many of the soldiers raised by this colony, for His Majesty's service, in the present expedition, under the command of His Excellency Major General Abercromby, have deserted and returned home,—

It is therefore voted and resolved, that His Honor the Governor be, and he hereby is, requested to issue forthwith a proclamation, commanding all such deserters immediately to re-

sign themselves up to some one of the committee of war, for this colony; assuring those that do so voluntarily, within ten days after the date of such proclamation, that they shall be recommended to mercy; and also calling upon and strictly commanding all officers, both civil and military, within this colony, and all other His Majesty's liege subjects, to exert their authority, and use their utmost endeavors, immediately to apprehend and secure such deserter, and promising a reward for apprehending and securing each deserter, the value of one month's pay of such deserter.

And that His Honor also insert in his proclamation, abstracts of such acts of Parliament, and laws of this colony, as have been made for punishing such as conceal, support, trade with, or any way aid or assist deserters; and also for the encouragement of those who shall apprehend and secure them.

And it is further voted and resolved, that all deserters who shall resign themselves, or be apprehended, shall be sent back to their duty by the committee of war, in the most expeditious and safe manner; and that all officers in this colony, both civil and military, that shall refuse, or any way neglect to do their duty in apprehending and securing any deserter or deserters, shall, for every offence, forfeit the sum of £100 (to be recovered by any one of the committee of war, by action of debt,) and be removed from their office, and rendered absolutely incapable of holding any office in this colony afterwards.

It is voted and resolved, that the bounty or premium which shall be given for apprehending a deserter from the regiment raised by this colony, and now actually in His Majesty's service, shall, at the time of paying off the soldiers, be deducted out of the wages of such deserter, together with the expenses that may arise or accrue from apprehending, securing, and returning him to the regiment; and whenever it shall happen, that there is not enough due to a deserter, to pay such premium, he shall be sold by one of the committee of war, for payment thereof, and stand committed to jail until he is sold.

It is voted and resolved, that Gideon Comstock, James Helme, Job Randall and Benjamin Nichols, Esqs., be, and they,

or the major part of them, are hereby appointed a committee, to examine the account of Jahleel Brenton, Esq., with the colony, and report their opinion upon the same, unto this Assembly, at their next session.

Whereas, Othniel Gorton, Esq., exhibited unto this Assembly, an account by him charged against the colony, for his time and trouble in attending upon the executors of the late Governor Greene, in Warwick, to receive of them the charter, with a book, called Fones's Records, and sundry other papers, belonging to the government; and afterwards delivering the same to His Honor the present Governor, at Providence; and the said account being duly examined,—

It is voted and resolved, that the same be, and hereby is, allowed; and that £10, the amount of it, be paid the said Othniel Gorton, out of the general treasury.

What follows, is the report of the committee that was appointed to inquire concerning iron, &c.

Report.

“ We, the subscribers, being a committee, appointed by the General Assembly, at their session in August, Anno Domini, 1757, to make inquiry, what quantity of iron, and out of what materials hath been made in this colony, from Christmas, A. A. D. 1749, to the 5th day of January, 1756, do report as follows :

That there has been made of pig metal, imported from New York, Philadelphia and the Jerseys, in said time, five hundred and eighty-nine tons, nine hundred and one quarter, and sixteen pounds; and out of bog ore, one hundred and thirteen tons, one hundred two quarters and twenty-two pounds.

THOMAS ARNOLD, STEPHEN POTTER.”
IMMANUEL NORTHUP,

And the premises being duly considered,—

It is voted and resolved, that the foregoing report be, and the same is, hereby accepted; and His Honor the Governor, is

requested to send home as soon as conveniently may be, an answer to the queries sent by board of trade, respecting the iron manufacture of this colony.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that all warrants that are now granted, or shall at any time hereafter be issued, for collecting rates or taxes, shall continue, abide, and remain in full force, to all intents and purposes until the whole of each respective rate or tax shall be levied and collected.

Whereas, Handley Chipman, of Newport, in the county of Newport, distiller, preferred a petition, and represented unto this Assembly, that he purchased some time past, for carrying on the business of distilling and soap-boiling, a large lot of land, at the south end of the town of Newport, aforesaid, with a small house thereon, unto which he hath made a considerable addition; and also erected a still-house, soap-house, cooper's shop, warehouse, joiner's shop, chaise-house and stable, which involved him considerably in debt; nevertheless, he had hopes to clear himself speedily by his business, and probably should have done it, had not war come on, which has, in a great measure broke up the business of distilling, and greatly injured almost every other trade. This put the petitioner upon endeavoring to find out another way to clear himself of his difficulties; that a voyage presented, in which he thought there was a good prospect of effecting it; and accordingly, he went to sea, but was unfortunately taken by the enemy, and lost all he had with him, which was pretty considerable; so that instead of bettering his circumstances, he became plunged deeper in debt; and now hath no way to extricate himself, but by selling his estate. And as no person, who will give anything near the value of it, presents to purchase, he, the said Handley Chipman, prayed for liberty to open and erect a lottery, for not exceeding the sum of £30,000. On consideration whereof,—

It is voted and resolved, that the prayer of the said Handley Chipman, in his aforesaid petition made, be, and the same is

hereby, granted ; and to the end that the said lottery may be properly and regularly carried on,—

It is further voted and resolved, that Messrs. Elnathan Hammond, James Tanner, John Wanton, son of Gideon ; Jonathan Otis and Henry Ward, be, and hereby are, chosen directors or managers of the same.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write proper answers to the letters which he received from Hispaniola, with regard to a church being robbed there, informing that this government will do all in their power to discover the perpetrators of the sacrilege.

His Honor is also requested to write unto the Hon. James DeLancey, Esq., lieutenant governor and commander in chief of the province of New York, requesting him to inform this government what he knows of the above affair ; and that after the Governor shall have received an answer from Mr. DeLancey, to proceed with the advice of his Council, either to release John Shearman, who now stands committed to His Majesty's jail in Newport, on that account, or keep him there confined.

Whereas, in the month of June, 1757, His Honor the Deputy Governor, (upon a rumor of a French privateer's being upon the coast,) sent out two armed vessels in quest of her ; one of which, touched at Block Island, where she was supplied with four sheep and a cheese, by Mr. Edmund Sheffield, of that place, all to the value of £43 16s., old tenor ;—

It is therefore voted and resolved, that the speaker of the lower house draw the sum of £43 16s., out of the general treasury, and pay the same unto whom it shall appear to him to be due.

It is voted and resolved, that in order to supply the treasury, the general treasurer be, and he is hereby, directed to hire for a term of time, not exceeding one year, at the rate of six per cent. per annum, as many of the bills of credit emitted by this colony, called lawful money, as he can, not exceeding the value of £150,000, old tenor.

It is voted and resolved, that Lieut. Col. Benjamin Wickham, Capt. Daniel Ayrault and Mr. William Read, be, and they hereby are, appointed a committee, to inquire what military stores belonging to the colony, are upon the island of New Shoreham, alias Block Island; and that they be delivered unto George Gardner, captain of the company, or trained band, of the said New Shoreham.

Whereas, Benoni Hall, of Exeter, in the county of Kings county, and colony, aforesaid, Esq., preferred a petition, and represented unto this Assembly, that his son, Henry Hall, and one Parry, of Newport, aforesaid, were taken prisoners and carried into New Orleans, upon the Mississippi, where they have been confined for more than a year; and that there is no prospect of their being released within any reasonable time; whereupon, the said Benoni prayed this Assembly to recommend it unto His Honor the Governor, to grant a commission, authorizing him to proceed with a flag of truce unto the said New Orleans, in order to fetch them home; proposing, and also offering to carry as many of His Most Christian Majesty's subjects, now prisoners of war, in this colony, as shall be willing to go thither; and to bring from thence as many British subjects, who are prisoners of war there, as he can.

And the subject matter of the petition, aforesaid, having been duly inquired into and considered,—

It is voted and resolved, that the prayer thereof be, and is hereby, granted; and accordingly, His Honor the Governor is requested to issue unto the aforesaid Benoni Hall, a commission, for the ends and purposes above mentioned.

God save the King.

Col. Babcock to Governor Hopkins.

Camp Lake George, July 4th, 1758.

Honored Sir:—Your letter, per Dr. Hunter, I received, and shall at all times, with cheerfulness, inform you of what passes with us.

To-morrow morning, at day break, we shall out set with sixteen thousand men, in order to reduce Caraton, &c. This you may depend upon; for the general gave it out in orders yesterday. Col. Broadstreet, with fifteen hundred picked men, leads

the van, together with Rogers and Putnam; the provincials upon the right and left, and the regulars in the centre.

When we land, we are to form one line; for we imagine that that army that flanks the other, will carry the day; and I doubt, that by the smiles of Divine Providence, we shall make an easy conquest of them. Neither Potter nor Wall, have as yet joined me; and if they don't to-day, they had just as good be at home. Each batteaux will either carry eight barrels of flour, and twenty men-two; or six barrels of pork and twenty-two men.

I am, sir, with profound respect,

Your most obedient, and most humble servant,

HENRY BABCOCK.

To the Hon. Stephen Hopkins.

Col. Babcock to Governor Hopkins.

Lake George, 10th July, 1758.

Honored Sir :—The 5th inst., the army, consisting of fifteen thousand men, proceeded down the lake, in batteaux, with thirty days' provision.

The 6th, in the morning, half after eight, we landed at the advance guard; who were very easily driven from their post, with no loss on our side, and but four on theirs. About two o'clock, P. M., the whole army marched, saving a battalion of the York regiment, who were posted as a guard on our batteaux. About three o'clock, we were attacked by a party of the enemy, in which engagement, we unfortunately lost the brave Lord Howe. There were taken of the enemy one hundred prisoners, eight of whom were officers; our army was much scattered by reason of the firing in the woods, and it was thought advisable to return that evening to our batteaux.

The next day, Col. Broadstreet was ordered with fifteen hundred batteaux men, and two regular regiments, with five of the Massachusetts regiments, to take possession of the saw mill, which we did, without the loss of a man. The same evening, the whole marched up to the saw mill.

The 8th, (the fatal 8th,) were ordered to proceed in the following manner: the batteaux men, light armed infantry, and the rangers, were ordered to form a line about two hundred yards from the French entrenchments; which extended from Lake George to Lake Champlain; the regulars were to form a line behind the first line; who, after they were formed, were to pass through the first line, they making avenues for them; after that, they were to form the line again. A captain and fifty men, out of the line, were detached for picket, who were to form in front; the grenadiers were to form behind them; and in this manner, they were to attack the trenches, and were to march with shouldered firelocks, till they should get on top of the trenches.

They accordingly marched on with great intrepidity, but were received so warmly, that they were obliged to give ground, after making most vigorous efforts; they even went up to the breast-work, but were knocked down so fast, that it was very difficult for those behind to get over the dead and wounded. But before the attack of the regulars, the enemy began with firing upon the Yorkers. In the rear of the regulars, the Connecticut, New Jersey and Rhode Island troops were or-

dered to form about three hundred yards behind, who were to support them, if necessary.

About an hour after the attack, I was ordered to march with the regiment, to relieve those that had been engaged. We went up within about forty yards of the breast-work. Soon after I got up, in posting my regiment to the best advantage I could, I received a shot in my left knee; after that, finding myself of no advantage, I ordered two men to carry me off, and left the regiment warmly engaged. We have lost no officers. Capt. John Whiting, Lieuts. Russell and Smith are slightly wounded. The return of the killed and wounded, Your Honor has enclosed.

The same evening, to my great surprise, the whole army was ordered to return to the batteaux, to the great mortification of chief of the officers; and the next evening we arrived here.

Never did an army gain more advantage in so little time, whilst the late Lord Howe was alive; but soon after that, we became a confused rabble. We have lost a great many brave officers; in Lord Howe's regiment, all the field officers were killed.

Sir William Johnson joined us four hours before the engagement; but the Indians not being used to attack trenches, soon came off.

I am, sir, with compliments to Judge Jenckes and Messrs. Brown,
Your most obedient, and most humble servant,

HENRY BABCOCK.

To the Hon. Stephen Hopkins, Esq.

N. B. Sir William Johnson had three hundred Indians.

Col. Babcock to Governor Hopkins.

Albany, 29th August, 1758.

Honored Sir:—Have written Your Honor several letters, but have not had the pleasure of a line from you this campaign, except a small letter by Dr. Hunter, whose brevet I filled up.

I received a letter from the committee of war, informing of several deserters' returning home with discharges from the doctor, who they imagined had had leave from me, to give such discharges; whereas, if they only read them, they will easily see they are only discharged from the hospital; therefore, they are deserters to all intents and purposes. Enclosed, I have sent you one.

I have likewise received the accounts of the billeting, from the committee, at Newport, but not from Providence, which I wait for, and orders what to do with the money. They should be made out till their arrival at Albany, which is probable they may tell by the shippers of the transports; but if they cannot, they may leave that blank. Caps. Jenckes came to Albany the 21st of June.

Yesterday, two brass twenty-four pounders were sent up to the lake, which I think looks as if they expected a second attempt that way; and if it's made, I can't but think we shall succeed; though we made an inauspicious figure before.

I am, sir, with respect,

Your most obedient, and most humble servant,

HENRY BABCOCK.

To Governor Hopkins.

Major Daniel Wall to Governor Hopkins.

Oneida Station, or the Great Carrying Place,
17th September, 1758.

Honored Sir :—I don't doubt before this comes to hand, you'll have heard of the expedition against Fort Frontenac.

Three thousand troops, with four brass twelve pounders, and two howitzers, set out on the 14th August, on a secret expedition, under the command of Col. Broadstreet; out of which number, there were three hundred and twelve from the Rhode Island regiment. We proceeded to Oswego, with the utmost despatch, and crossed part of Lake Ontario; and on the 25th, we landed in high spirits, on an island, in open sight of Fort Frontenac and their shipping—a brig and schooner (partly rigged).

Col. Broadstreet immediately sent a whaleboat to reconnoitre the shore, and find a proper place to land. The whaleboat returned, and thought it impracticable to attempt to land before the evening, by reason of the very great surf. Provisions were then issued, and the people employed in cooking.

At about seven, in the evening, landed the whole troops, about a mile distant from the fort, without being opposed. The rangers and Indians, who were about two hundred, scouting in the woods; and an attempt was then formed to board the brigantine and schooner, with whaleboats; but as they warped in under the fort, it was thought impracticable to attempt it. The troops were under arms all that night, in the front of the batteaux; and about eight, next morning, all our artillery were landed and fixed in their carriages. About ten, began to cannonade, under cover of a hill, about seven hundred yards distant; the enemy firing very hot, but without doing execution.

As soon as it was dusk, we approached up to a breast-work of the enemy, erected at the time that Oswego was garrisoned, through which we cut embrasures; and at day-break began to throw shells, which continued very warm till seven o'clock, the enemy firing very smart, both with their cannon and small arms, when we perceived them endeavoring to escape with the vessels. We immediately brought two twelve pounders to play on them, which shattered them very much, and all the crew on board took to their boats, and made off, and suffered the vessels to drive on shore. Then the garrison sent out to surrender, and were suffered to take what things they could carry off in batteaux, and to go to Swecorchche [Oswegachie].

We were all day employed in getting the valuable things out; and in the evening, in demolishing the fort, burning the vessels, &c., that were rigged; which were two snows, two schooners and three sloops. The brigantine and schooner were soon got off; and next morning left the place on fire, and proceeded with them to Oswego, where they arrived that night, and the whole fleet the next.

There was an immense quantity of provisions, which they were going to transport to Frankfort and Niagara, and their other forts; the want of which, will distress them very much.

We arrived here on the 13th. After taking the most valuable things out of the brigantine and schooner, we burned them at Oswego.

Dr. Hunter has not joined the regiment since we left the Half Moon, and have had none with us, but Leach; and he now is going down sick. Our people are very

much fatigued, and are very sickly; and so must be obliged to employ a regular doctor to take care of them.

Col. Potter, with some of the other officers, and about one hundred and forty of the men, are going down to Schenectady, to-day, sick; the troops have very heavy duty here, since their return, in erecting this fort, and fall sick fast.

Col. Broadstreet set out to-day, after his arrival here. Their garrison consisted of about two hundred men, capable of bearing arms, with a number of women and children, and was a great place of traffic among the Indians. By their own account, the effects in the garrison, and adjoining, amounted to £40,000, sterling. I am extremely well, after the great fatigue. Col. Potter is ill.

I am, sir, with the profoundest respect,

Your most obedient, humble servant,

DANIEL WALL.

P. S. Lieut. Col. Corsa, of the New York regiment, wounded, an officer of the Independents, and ten men of the different corps.

Col. Samuel Angell to the Governor of Rhode Island, relating to the surrender of Fort William Henry.

Camp Fort Edward, 14th August, 1757.

Sir:—The following is the best account of the siege and reduction of Fort William Henry, that I am at present able to give, with the consequences that have followed.

The 2d inst., Col. Young, of the third battalion of the royal Americans, and Col. Frye, of the Massachusetts, marched to the lake with about thirteen hundred men, which made up the number in camp and garrison, to twenty-four hundred, including carpenters and sailors.

On the 3d inst., at five o'clock, in the morning, the fort and camp were invested by Canadians and Indians; and at the same time, a large body of boats and canoes appeared on the lake near, while our camp was attacked by a superior number of the enemy. They landed their artillery the same day. Our rangers brought in one of their lieutenants prisoner, who gave account that their strength consisted of three thousand regulars, five thousand Canadians, and three thousand five hundred savages, thirty-six cannon, and four mortars.

The siege continued obstinate till the 9th day, at six o'clock, in the morning, when all the cannon, bigger than twelve pounders, were broken; the men in camp and garrison, spent with fatigue. They capitulated on honorable terms, viz.: that they should march to this place with a brass twelve pounder in the front, and their fire-locks clubbed, and colors flying, with all their baggage. This was agreed to, and articles signed. General Montcalm and other principal officers of his army, expressed and acknowledged that they had made a defence beyond expectation, and for those reasons, he allowed them as good terms as General Blakeney had. The articles obliged our men not to bear arms till eighteen months were expired.

The morning following, our men were to march with a strong guard of regulars, to keep the savages from insulting them. When our people began to draw up for a march, the horrible scene of massacre then began, by the savages' scalping our sick and wounded men; next, by their drawing out all the black men, scalping the

Indians and keeping the negroes for slaves. All this did not satisfy them ; but they fell to stripping and scalping without distinction ; which put our men to the flight, each man for himself—having no protection, agreeably to the articles. They all scattered in the woods ; the Indians following them several miles. Our men have been coming in since eleven o'clock, that day, till this morning, by single persons and small parties ; not a man but is stripped ; some, quite naked.

There are yet behind several hundred ; many of whom, it is known, are sick, and many, it is thought, will perish in the woods. This minute, a deserter from the French says that about two hundred of our men went back to the French for protection.

By our parties just come in, we have certain accounts that the fort is destroyed ; and that the enemy are drawing off. We have about four thousand militia here, and two thousand troops. In haste conclude—

Your Honor's most obedient, humble servant,

SAMUEL ANGELL.

To the Hon. William Greene.

Secretary William Pitt to the Governor of Rhode Island.

Whitehall, 18th September, 1758.

Sir :—The King having judged proper that Major General Abercromby* should return to England, and His Majesty having been pleased to appoint Maj. Gen. Amherst to be commander in chief of the King's forces in North America, with the same powers and authorities ; I am commanded to signify to you His Majesty's pleasure, that you do apply to, and correspond with Major General Amherst, on all matters relating to the King's service, and that you do obey such orders as you shall receive from him, in the same manner as you have been directed to do with regard to the several former commanders in chief in North America ; and you will from to time, give Major General Amherst all the assistance and lights in your

* General JAMES ABERCROMBY, of Glassaugh, Banffshire, Scotland, was born in the year 1706. Having obtained a company, he was commissioned as major, in 1742, and in 1744, was appointed lieutenant colonel of the 1st regiment, or royal Scots. He served throughout the war in Flanders, as commissary of musters, on General St. Clair's staff ; and on the 16th April, 1746, was promoted to the rank of colonel in the army, and served as quartermaster general in the expedition to Port l'Orient, in Brittany ; in April, of the following year, he was wounded in a sortie from Hulst, in the Low Countries, then besieged by the French. On the 18th December, 1755, he was appointed colonel of the 50th regiment about to be raised for service in America ; on the 31st January, 1756, he was promoted to be major general, and on the 13th March following, succeeded Col. Ellison, in the command of the 44th regiment of foot. He arrived in America in June, of that year, and in 1757, commanded the second brigade in the expedition of Lord Loudoun against Louisbourg. On succeeding the latter in the command of the American army, Major General Abercromby became ex-officio colonel of the 60th or royal Americans, and immediately set about organising an expedition against Crown Point. He was defeated at Ticonderoga by Montcalm, on the 8th July, 1758. He was thereupon suspended in his command, and returned to England ; became lieutenant general on 31st March, 1759, and general in the army on the 25th May, 1772, having previously been appointed deputy governor of Stirling Castle. General Abercromby died at his seat, at Glassaugh, on the 23d of April, 1781, aged 75 years.—*Gentlemen's Magazine, Army Lists.*

power, in all matters relative to the command with which the King has honored him.

I am particularly to signify to you, His Majesty's pleasure, that in case Major General Amherst, or the commander in chief of His Majesty's forces, shall, at any time, apply to you, to lay an embargo on all ships within your province, you do strictly comply with the said request, for so long a time as the commander in chief shall desire.

I am, etc.,

W. PITT.

To the Governor of Rhode Island.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday in October, 1758.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that Gideon Comstock, Obadiah Brown and Joshua Babcock, Esqs., and Lieut. Col. Benjamin Wickham, be, and they hereby are, appointed a committee, to examine all the public letters in the hands of His Honor the Governor, which have been sent to this colony, or the Governors of the same, and make report unto this Assembly, which of them shall be recorded; beginning with the first letter sent by Sir Thomas Robinson.

And it is further voted and resolved, that any two of the committee have power to act; and also to consider and determine which of the answers returned to the several letters, it will be proper to record.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that from and after the publication of this act, the Governor of the colony, for the time being, shall have power, and hereby is authorized to draw upon the general treasurer, in order to pay the postmasters, residing within the government, for the postage of all public letters and other papers, sent to this colony, or the Governor and Company thereof, to the amount of £20, old tenor, and no

more, at any one time ; and that the said postmasters do, once a year, render unto the General Assembly, a particular account of what money they receive out of the general treasury, and for what they receive the same.

An Act for supplying the treasury.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that in order to supply the treasury, the general treasurer be, and he is hereby, directed to hire, within thirty days after the rising of this Assembly, for a term of time not exceeding one year, at the rate of six per cent. per annum, as much money in gold and silver, and in the bills of credit called lawful money, and old tenor, as he can, not exceeding the value of £200,000, old tenor ; that he give bonds to repay all he hires, in the same species that he receives, excepting the old tenor bills ; of which sort the government shall have the liberty to pay the sum hired, either in old tenor, or a dollar for every £5 10s. thereof.

And be it further enacted by the authority aforesaid, that if the whole sum above mentioned, cannot be hired in manner as is aforesaid, the deficiency shall be made up, in emitting whatever the same may be, in bills of credit, equal to lawful money, of the same tenor and so be signed by the same gentleman as the last £10,000, emitted by an act of the General Assembly, in May last, were ; and that the bills bear date at the time of their being printed.

And be it further enacted by the authority aforesaid, that a rate or tax be assessed on the inhabitants of this colony, collected, levied, and brought into the general treasury ; within one year, sufficient to pay off such sums as the treasurer may hire in consequence of this act ; and that the bills (if any are emitted pursuant hereto,) be redeemed at the expiration of five years, or sooner, if the General Assembly shall think fit, by a rate or tax upon the inhabitants of the colony, to be, by that time, levied, collected, and brought into the general treasury.

It is voted and resolved, that the committee of war do pay the owners of the vessels that were employed as transports in

the year 1757, to carry soldiers unto Albany (that is is say, such of them as have not been paid,) the sum of ten shillings, sterling, per month, for every ton said vessels measure ; and that the said owners satisfy the committee, aforesaid, as to the time their vessels were really in the said service.

It is voted and resolved, that the committee appointed to procure the printing of such bills of credit as may be emitted, or the major part of them, agree with any person to perform that service, who will do it in the best and cheapest manner.

It is voted and resolved, that the Hon. John Andrews, Esq., whom His Majesty hath been pleased to appoint judge of the court of vice admiralty, in this colony, be sworn to the faithful execution and discharge of the said office, before His Honor the Governor.

It is voted and resolved, that Othniel Gorton and Job Randall, Esqs., be, and they are hereby, appointed a committee, to examine the laws of this colony respecting flags of truce ; and inquire also into all proceedings respecting the same, since the commencement of the present war, and make report unto this Assembly, at their next session.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 18th day of December, 1758.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that Gideon Comstock and Obadiah Brown, Esqs., and Lieut. Col. Barzillai Richmond, be, and they, or any two of them, are, hereby constituted a committee, to examine the accounts of Col. Samuel Angell, with the colony, respecting the expense of his table, while he was commanding

officer of all the forces raised by this colony, for the campaign in the year 1757 ; and make report unto this Assembly, at their next session.

It is voted and resolved, that all the able bodied, effective men, now in the pay of this colony, be, and they hereby are, retained in the government's service, during the pleasure of the General Assembly ; excepting the field and commissioned officers, who are hereby discharged.

It is voted and resolved, that the committee which was appointed to dispose of the colony's vessel, be, and they hereby are, directed and fully empowered to sell her for the most they can get ; and that the purchase money be applied to the colony's use.

It is voted and resolved, that all accounts against the colony, respecting the soldiers in the pay of this government, or regulars, be submitted to such of the committee of war, as live in the county of Providence ; provided, such accounts do arise within their district.

It is voted and resolved, that His Honor the Governor, Gideon Comstock, Edward Scot, Thomas Ward, Augustus Johnston, Esqs., be, and they, or the major part of them, are hereby, constituted a committee, to revise all the laws of this colony, and, digesting them into a body, procure five hundred copies of the same to be printed, at the charge of the colony, as soon as conveniently may be ; nevertheless, the said committee, after they have prepared a draught, shall lay the same before the General Assembly, for their approbation ; which, being obtained, the printing is to commence, and not before.

It is voted and resolved, that all able bodied, effective men, who will enlist into His Majesty's service, in the pay of this colony, for the ensuing campaign, shall be entitled to the same wages and billeting, as the retained troops are allowed, and receive one month's pay advance, upon their enlisting ; and also have and enjoy all and singular the privileges and immunities that the retained troops are entitled to ; and that every person that enlists, shall be accounted one of the proportion of the town to which he belongs.

What followeth, is the report of the committee, that was appointed at the last session of this Assembly, to examine all the laws of this colony, respecting flags of truce, &c.

*Report of the Committee appointed to examine the laws relative to
Flags of Truce.*

We, the subscribers, being appointed by the Honorable General Assembly, of the colony of Rhode Island, at their session in October last, a committee to examine into the affair respecting the granting flags of truce in this colony, since the commencement of the present war, and the laws concerning the same, do report as followeth :

That by a certificate from the secretary of the colony, it appears, that there were three flags commissioned by the late Governor Greene ; all which, by the said secretary's certificate, appear to have been commissioned agreeably to the laws of this colony. We also find, that His Honor Governor Hopkins hath granted commissions to six persons, to wit : to Ebenezer Tyler, Thomas Rodman, Nehemiah Rhodes, Paul Tew, Samuel Angell and Samuel Thurston ; who have proceeded by virtue of their commissions. And for all which, as appears by the vouchers shown us by the Governor, and the certificates from the secretary, have been granted agreeably to the aforesaid law.

We further find, that a commission hath been granted to John Updike, by virtue of, and in conformity to an act of the General Assembly, passed in favor of Benoni Hall, Esq., and bonds given agreeably to law.

We also find, that there was a commission granted to Benjamin Wanton, agreeably to the aforesaid law ; but as he hath made no use thereof, the same is become void.

We further find, that Mr. Henry Collins, of Newport, hath made application for a flag of truce, to His Honor the Governor, and produced the proper certificates therefor ; but that the Governor refused granting him any ; giving for his reasons, that he was credibly informed, that the prisoners the said Col-

lins wanted to transport, were a number of French prisoners, carried into Boston, in the Province of the Massachusetts Bay, and there purchased on account of said Collins; which the Governor thought did not come within the meaning of the laws of this colony, and so refused granting the same.

All which, is submitted by OTHNIEL GORTON,
JOB RANDALL

Providence, December 22, 1758.

I do hereby certify, that so much of the above, as relates to me, the subscriber, corresponds with truth, according to the best of my judgment and remembrance.

THOS. WARD, Sec'y.

Providence, December 22, 1758.

And the said report being duly considered—

It is voted and resolved, that the same be, and hereby is, accepted.

It is voted and resolved, that His Honor the Governor be, and hereby is requested to write unto the colony's agent, in Great Britain, and direct him to make application to the lords of the admiralty, in order to procure the appointment of a register and marshal for the court of vice admiralty, in this colony.

And it is further voted and resolved, that His Honor be also requested to recommend unto their lordships, Thomas Vernon, Esq. and Capt. William Mumford; the former, to be register, and the latter, marshal; as they have been acting officers in this colony for many years.

An Act in addition to an act made about commissionating flags of truce, and passed at a session of the General Assembly, begun and holden at South Kingstown, within and for the colony, aforesaid, on the last Monday of February, 1747.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that when and so often as any vessel may be commissioned to go with a flag of truce

from this colony, such vessel shall be obliged to carry off all the prisoners of war that are in the government at the time of issuing the commission ; that is to say : if such vessel is capable of carrying all ; allowing one man to every ton the vessel measureth.

And be it further enacted by the authority aforesaid, that the register of the court of vice admiralty, in this colony, be, and he hereby is, directed and required to keep an exact account of all prisoners of war that shall be brought into the government from time to time ; and that a certificate from the said register, of the whole number of prisoners, shall be sufficient evidence thereof to the Governor.

It is voted and resolved, that His Honor the Governor, be, and he hereby is, requested to cause proper accounts to be made out, of such articles as this colony hath supplied the crown with, which he may think proper to be sent home, and transmitting the same to the colony's agent, in Great Britain, direct him to apply unto the proper board, in order to obtain payment ; and His Honor is also requested to make application unto His Excellency General Amherst, for such sums due unto this colony, as he shall think proper to apply to that gentleman for.

It is voted and resolved, that Col. Thomas Greene, be, and he hereby is, appointed one of the committee of war, for the county of Bristol, as an addition to the rest.

And it is further voted and resolved, that the accounts of the whole committee of war, be audited every year, by one and the same committee, which shall from time to time be appointed for that purpose.

Whereas, Henry Babcock, Esq., colonel of the regiment raised in and by this colony for the last campaign, and Daniel Wall, Esq., major of the said regiment, represented unto this Assembly, that sundry reports have been spread abroad, to their prejudice, and thereupon prayed that a court may be appointed to inquire into their conduct ; on consideration whereof,—

It is voted and resolved, that Col. Josias Lyndon, Col. Joseph

Wanton, Col. John Andrews, Col. Elisha Reynolds and Capt. Robert Potter, be, and they are hereby, appointed a court of inquiry (wherein Col. Josias Lyndon shall preside), to inquire into the conduct of the aforesaid Henry Babcock and Daniel Wall, during the last campaign ; and also to inquire into the conduct of any other of the officers of the said regiment, that shall apply for the same.

And it is further voted and resolved, that the said court be, and hereby is, invested with all and singular the power and authority usual and necessary for holding such a court, and for answering all the ends thereof.

It is voted and resolved, that His Honor the Governor be, and he hereby is, requested to defer writing home for the appointment of a register and marshal to the court of vice admiralty, in this colony, until the gentlemen who are nominated to the offices, aforesaid, do each of them give sufficient security unto the secretary, in the penal sum of £50 sterling, with this condition, to wit : that they will bear and pay all and singular the costs and charges that may arise or accrue from or by the intended application.

It is voted and resolved, that His Honor the Governor be, and he hereby is, requested to impower Col. Henry Babcock to wait upon His Excellency General Amherst, with the colony's account, and receive what money the general shall pay ; and likewise to do any other necessary message to the said general.

It is voted and resolved, that an enlisting officer be appointed in each town in the colony, where no one of the committee of war dwells, to enlist soldiers for the ensuing campaign ; and the gentlemen, whose names immediately follow, are hereby appointed to perform that service by themselves, or appointing others in their stead, to wit :

Mr. John Shearman, Jr., for Portsmouth ; Col. Henry Babcock, for Westerly ; Capt. Daniel Fones, for North Kingstown ; Capt. Nathaniel Helme, for South Kingstown ; Capt. Benjamin Greene, for East Greenwich ; Mr. William Martin, for Jamestown ; Mr. Jeremiah Mowrey, for Smithfield ; Jeremiah Angell,

Esq., for Scituate; Capt. Joseph Winsor, for Gloucester; Capt. Tibbitts Hopkins, for West Greenwich; Lieut. Col. Stephen Potter, for Coventry; Capt. John Reynolds, for Exeter; Mr. James Barker, Jr., for Middletown; Philip Tabor, Esq., for Tiverton; Capt. Thomas Church, for Little Compton; Major Josias Humphrey, for Warren; John Dexter, Esq., for Cumberland; Samuel Teft, Esq., for Richmond; Lieut. Col. John Potter, for Cranston; and Capt. Edward Wells, Jr., for Hopkinton.

And it is further voted and resolved, that the above services shall be rendered, done and performed, without any other charge to the colony, than that of the levy money.

That the committee of war call all the soldiers before them, on or before the 10th day of January next, in order to retain all such as are fit for duty; and at the same time discharge those that are unfit; that the said committee of war be empowered to enlist soldiers in the respective towns where they dwell, have powers, and are hereby required to take due care of the government of all the soldiers, until such time as proper officers shall be appointed, to guide and conduct them.

God save the King.

Public Acts passed during the year 1758.

[The following public laws, in addition to those printed in these Records, were passed during the year 1758, and will be found (unless previously repealed) in the volume of Public Laws, printed in the year 1767.]

An Act directing the town treasurers to receive and pay Spanish milled dollars at the rate of six shillings, lawful money. (February, 1758.)

An Act empowering the town treasurers to call special courts for the recovery of any sum or sums of money which ought to be collected and paid into the treasury of any town. (March.)

An Act more effectually to prevent the fish from being interrupted in their course up the Pawcatuck River. (March.)

An Act for emitting in bills of credit, a sum not exceeding £10,000, lawful money. (May.)

An Act for the equal distribution of insolvent estates. (June.)

An Act for assessing a rate or tax, of £6,000, lawful money; and also a rate or tax, of £110,000, in bills of old tenor. (June.)

An Act for raising the fines upon delinquent officers and soldiers of the several troops of horse, in this colony. (June.)

An Act for erecting a regiment of militia, in the county of Bristol. (June.)

An Act augmenting the duty on shipping, for the better support of the light house. (August.)

An Act for the encouragement of deserters to return to their duty, and to prevent desertion in the future. (December.)

Secretary William Pitt to the Governors of Rhode Island, Massachusetts Bay, New Hampshire, Connecticut, New York and New Jersey.

Whitehall, 9th December, 1758.

Sirs :—His Majesty having nothing so much at heart as to improve the great and important advantages gained the last campaign, as well as to repair the disappointment at Ticonderoga; and by the most vigorous and extensive efforts, to avert, by the blessing of God on his arms, all dangers which may threaten North America from any future eruptions of the French; and the King not doubting that all his faithful and brave subjects there, will cheerfully co-operate with, and second to the utmost, the large expense and extraordinary succors supplied by this kingdom for their preservation and defence; and His Majesty considering that the several provinces in particular, from proximity and accessibility of situation, more immediately obnoxious to the main eruptions of the enemy from Canada, are, of themselves, well able to furnish at least twenty thousand men to join a body of the King's forces, for invading Canada by the way of Crown Point, and carrying the war into the heart of the enemy's possessions; and His Majesty not judging it expedient to limit the zeal and ardor of any of his provinces, by making a repartition of the force to be raised by each respectively, for this most important service :—

I am commanded to signify to you the King's pleasure, that you do forthwith use your utmost endeavors and influence with the Council and Assembly of your province, to induce them to raise with all possible despatch, within your government, at least as large a body of men as they did for the last campaign, and even as many more, as the number of its inhabitants may allow; and forming the same into regiments as far as shall be found convenient; that you do direct them to hold themselves in readiness, as early as may be, to march to the rendezvous at Albany, or such other place, as His Majesty's commander in chief in America shall appoint, in order to proceed from thence, in conjunction with a body of the King's British forces, and under the supreme command of His Majesty's said commander in chief in America, so as to be in a situation to begin the operations of the campaign, by the 1st of May, if possible, or as soon after as shall be any way practicable, by attempting to make an irruption into Canada as above, by the way of Crown Point, and if found practicable, to attack either Montreal or Quebec, or both of said places successively, with the whole force in one body, or at one and the same time, by a division of the troops into separate and distinct operations, according as His Majesty's commander in chief, shall, from his knowledge of the countries through which the war is to be carried, and from emergent circumstances not to be known here, judge any of the said attempts to be practicable.

And the better to facilitate this important service, the King is pleased to leave it to you to issue commissions to such gentlemen of your province, as you shall judge, from their weight and credit with the people, and their zeal for the public service, may be best disposed and able to quicken and effectuate the speedy levying of the greatest number of men ; in the disposition of which commissions, I am persuaded you will have nothing in view but the good of the King's service, and a due subordination of the whole, when joined to His Majesty's commander in chief; and all officers of the provincial forces, as high as colonels, inclusive, are to have rank according to their several respective commissions, agreeably to the regulations contained in His Majesty's warrant of the 30th of December last year.

The King is further pleased to furnish all the men so raised, as above, with arms, ammunition and tents, as well as to order provisions to be issued to the same, by His Majesty's commissaries, in the same proportion and manner as is done to the rest of the King's forces. A sufficient train of artillery will also be provided at His Majesty's expense, for the operations of the campaign; and the ship that conveys this, carries orders for timely providing, and at the King's charge, with the utmost diligence, and in an ample manner, boats and vessels necessary for the transportation of the army on this expedition.

The whole, therefore, that His Majesty expects and requires from the several provinces, is, the levying, clothing and pay of the men; and on this head, also, that no encouragement may be wanting to this great and salutary attempt, the King is further most graciously pleased to permit me to acquaint you, that strong recommendations will be made to Parliament, in their session next year, to grant a proper compensation for such expenses as above, according as the active vigor and strenuous efforts of the respective provinces shall justly appear to merit.

It is His Majesty's pleasure, that you do, with particular diligence, immediately collect, and put into the best condition, all the arms issued last campaign, which can be any ways rendered serviceable, or that can be found within your government, in order that the same may be employed, as far as they will go, in this exigency. I am, at the same, to acquaint you, that a reasonable supply of arms will be sent from England, to re-place such as may have been lost, or that become unfit for future service.

I am further to inform you, that similar orders are sent by this conveyance to New Hampshire, Connecticut, Massachusetts Bay, and New Jersey; the southern governments are also directed to raise men in the same manner, to be employed in such offensive operations as the circumstances and situation of the enemy's posts in those parts may point out, which, it is hoped, will oblige us so to divide their attention and forces, as will render the several attempts more easy and successful.

It is unnecessary to add any thing, to animate your zeal, in the execution of His Majesty's orders on this great occasion, where the future safety and welfare of America are at stake; and the King doubts not, from your known fidelity and attachment, that you will employ yourself with the utmost application and despatch, in this urgent and decisive crisis.

Although the knowledge of an intention to invade Canada is apprehended, not only to be unattended with any inconvenience, but necessary to be propagated in the provinces, in order to give success to the levies; yet, as secrecy in all enterprises on particular places, is of the greatest importance, the King is persuaded that you will use all proper discretion in communicating, by name, any of the immedi-

ate objects before pointed out, further than to such persons, to whom it may be necessary, for the good of the service, confidentially to entrust the same.

I am, etc.,

W. PITT.

Major General Amherst to the Governor of Rhode Island.

New York, December 13th, 1758.

Sir:—The King having been pleased to appoint me commander in chief of all His Majesty's forces in North America, and having at the same time signified to me his royal pleasure, that I should correspond with, and apply to all his governors, on the continent, for their aid and assistance, in carrying on the services pointed out to me, I am, in obedience to those commands, to acquaint you, that although I have not as yet any particular orders relative to the operations of the ensuing campaign, I imagine they will require the same number of provincial troops that were voted by the respective provinces and colonies this year; and it will likewise be necessary, in order to carry those operations the more effectually into execution, that those troops should be at the place of rendezvous, as early in the spring as possible.

I would therefore, recommend to you, if the troops raised by your colony for the services of the last campaign, are not already disbanded, that you would move your Assembly to continue them in their pay during the winter; which will not only be a great saving in point of time, but, by what I can understand, a great saving of expense to the colony; wherefore, I should hope, you will the more easily succeed in your application.

But if it should so happen, that, before the receipt of this letter, those troops had already been disbanded, in that case, I must desire that you will lose no time in using your influence with your Assembly to move them to order new levies, and to cause these to be provided with the usual necessities; and to be ready by the time the season will admit their taking the field.

Having also received His Majesty's orders, to recruit and complete the regiments now serving on the continent, I am likewise to beg your countenance and protection to the officers, I shall have occasion to send, as well as those that have already been sent by my predecessor on that service; and that you will be aiding and assisting unto them, in the execution thereof.

I am, with great regard, sir,

Your most obedient, humble servant,

JEFF. AMHERST.

To the Hon. Governor Hopkins, Rhode Island.

Secretary Pitt to the Governor of Rhode Island.

Whitehall, 29th December, 1758.

Sir:—In transmitting to you the enclosed duplicate of my letter of the 9th inst., I have the King's particular commands to renew and enforce, in the strongest manner, the necessity of a punctual compliance with the orders therein contained; and you will accordingly urge, in the most expressive terms, to the Council and Assembly of your province, the importance of their exerting themselves in the present critical and decisive moment, in which their own interests and security are so

nearly concerned, that it would seem superfluous to add the further motives of their duty to the King, and of the gratitude they owe to this country, for the very great expense and succors supplied for their immediate defence, and for the future safety of all their rights and possessions in America.

And the levying the men to be furnished by the several provinces, without any delay, and in such time, that they may not fail to be at the rendezvous that shall be appointed for them, so as to be ready to commence the operations by the 1st of May, is so essential, as well for preventing the extraordinary efforts, which, it is supposed, the enemy is preparing to make, to stop the further progress of His Majesty's arms in America, as for pushing, with success, the ensuing campaign; that it is the King's pleasure, that you do employ the utmost diligence, and every means in your power, to forward and expedite this service in the most effectual manner, and to avoid any disappointment happening from the slowness of the levies, or from the men, who shall be raised, not proceeding in due time to the rendezvous.

With regard to the expenses incurred by your province, for the last campaign, I am further to acquaint you, that as soon as the agents of the respective provinces, duly authorized, shall produce the necessary documents, the same will, without delay, be recommended to Parliament, for a reasonable compensation, agreeably to the gracious assurances which the King was pleased to allow me to give, in my letter of the 30th December, last year.

I am, etc., W. PITT.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 26th day February, 1759.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that the colony furnish one thousand able bodied, effective men, for His Majesty's service, in the ensuing campaign; and that Jonathan Randall, Jeoffrey Watson, Thomas Cranston, Othniel Gorton and Samuel Ward, Esqs., be, and they hereby are, constituted a committee, to prepare a bill for that purpose, and present the same unto this Assembly, as soon as conveniently may be.

It is voted and resolved, that the general treasurer pay off all the Crown Point notes, out of the money received of His Excellency General Amherst, and now lodged in the treasury; that whoever shall omit to bring in his, her or their note or

notes within twenty days after the rising of this Assembly, shall be allowed no interest for the same after that time ; that so much of the remainder of said money as shall be necessary, be appropriated towards redeeming the outstanding Crown Point bills ; that what shall not be made use of in the manner, aforesaid, remain in the treasury, for the use of the colony ; and that the substance of this act be published three times successively in the Newport Mercury.

It is voted and resolved, that Joseph Brownell and Obadiah Brown, Esqs., Mr. William Read, Thomas Arnold, Joshua Babcock and Joseph Russell, Esqs. be, and they hereby are, appointed a committee, to consider in what part of the town of Providence it be most advantageous to erect a new court house ; likewise, of its dimensions, the manner of building the same, and with what materials ; and make report to this Assembly, as soon as may be.

Whereas, Samuel, Angell, Esq., preferred a petition, and represented unto this Assembly, that in the year 1757, when he had the honor to command the troops of this colony, he supplied them, while in camp, with necessary clothing (such as the government had not provided), to the amount of several hundreds of pounds, New York currency, for which he charged but a small matter more than the prime cost, expecting to be paid for the same, at the close of the campaign ; that he, the said petitioner, did also contract with a sutler, to supply the troops with necessary refreshments, for which he became accountable, with interest, after their discharge ; that in December, 1757, he delivered the committee of war the muster rolls, with proper accounts, endorsed, how much ought to be stopped ; that he hath received but a small part of the said money, notwithstanding he had orders on the general treasurer, from the committee of war ; wherefore, the said Samuel Angell, prayed to be allowed interest for the money due unto him from the time that the soldiers were discharged, until the same be paid. On consideration whereof,—

It is voted and resolved, that lawful interest be allowed and paid the aforesaid Samuel Angell, out of the general treasury,

for the money he advanced upon the colony's account, from the time the same was stopped out of the wages of the soldiers, until the day it was paid the colonel.

An Act providing in case of fire breaking out in the town of Providence, for the more speedy extinguishing the same, and preserving goods endangered thereby.

What follows, is the report of the committee, that was by the General Assembly appointed to the service therein mentioned ;—

Report of the Committee appointed to audit the accounts of the General Treasurer.

We do report, that we have received from Benjamin Nichols, Esq., keeper of the grand committee's office, £86,709 2s. 5d., old tenor, which we have burnt.

We further report, that, agreeably to an act of the General Assembly, made and passed at Providence, in November, 1756, said Nichols paid to Thomas Richardson, Esq., general treasurer, £33,841 14s. 5d., old tenor, as appears by the treasurer's receipt, now in the hands of said Nichols.

This money, paid to the treasurer, was to re-place the same sum which was burnt in the general treasury, November 12, 1756, as per report. The two sums put together, amount to £120,550 16s. 11d., old tenor.

Witness our hands, in Newport, March 6, 1758.

£86,709 02s. 6d., burnt. JOHN TILLINGHAST,

33,841 14s. 5d., treasurer. PETER BOURS,

THOMAS CRANSTON,

£120,550 16s. 11d.

JAMES SHEFFIELD,

Committee.

And the said report, being taken into consideration,—

It is voted and resolved, that the same be, and hereby is, accepted.

Whereas, Silas Cooke, of Newport, in the county of New-

port, merchant, agent for Don Antonio Gomez Franco, a subject of His Most Catholic Majesty the King of Spain, preferred a petition, and represented unto this Assembly, that on the 29th day of January last, a certain sloop, named the ———, of which Don Joseph Rodriguez, a subject of His said Catholic Majesty, was master, being laden with sugar ; whereof the said Antonio Gomez Franco, together with the said Rodriguez, were sole owners, had arrived from a coasting voyage, at the mouth of the harbor of Monti Christo, a port of His Most Catholic Majesty, on the island of St. Domingo, where the said sloop belonged, and which was also the dwelling place of the said owners ; that just as the said sloop had taken in her sails, she was boarded and seized by Simon Smith, commander of a private man of war, named the Roby, equipped at Warren, in this colony, and commissioned by His Honor the Governor ; and being so seized, was sent into Warren, aforesaid, where being arrived, she is detained and claimed by the owners and company, of the said sloop Roby, as a prize ; although the said Don Antonio Gomez Franco and the said Joseph Rodriguez, are bona fide, the sole owners of the said sloop and her cargo, and are true and lawful subjects of His said Most Catholic Majesty, as is aforesaid.

And the said Silas Cooke further observed, that there are many vessels with cargoes, owned by the inhabitants of this colony, now at the said Monti Christo, and in the power of the said Antonio Gomez Franco, who is the king of Spain's secretary there, and will undoubtedly detain some or all of them, by way of reprisals for this act of violence done against the laws of nations.

That forasmuch as His Most Sacred Majesty, our lawful sovereign, did, by proclamation, about two years since, strictly prohibit all his subjects from taking, seizing or molesting any of the subjects or ships of His Most Catholic Majesty, on any pretence, whatsoever ; and as any thing done by the inhabitants of this colony, contrary to the said proclamation, and against the laws of nations, may draw upon us the high displeasure of our most gracious sovereign, and involve the

nation in a controversy with the king of Spain, which the ministry at home have hitherto industriously avoided; the petitioner prayed, for the most speedy delivering the government from the dangers, aforesaid, this Assembly to inquire into the matters and things, aforesaid; and if it shall appear equitable, that they would order the vessel and cargo, aforesaid, to be taken into the custody of some officer of this colony, and forthwith restored to the said Joseph Rodriguez, in order to his returning home with her unto Monti Christo, &c. On consideration whereof,—

It is voted and resolved, that the owners of the aforesaid private man of war, named the Roby, be cited to appear forthwith before this Assembly, in order to make answer with regard to the matters and things alleged in the aforesaid petition.

Both houses being resolved into a grand committee, chose the gentlemen whose names are set down in the following list, to command the troops of this colony, in the next campaign :

Field officers—Henry Babcock, Esq., colonel; Daniel Wall, Esq., lieutenant colonel; and John Whiting, Esq., major.

Captains—Thomas Burket, James Tew, Jr., Samuel Rose, Nathaniel Peck, Thomas Frye, Jr., Benjamin Eddy, Christopher Hargil, Joshua Brown, William Tripp and Moses Palmer.

First lieutenants—Edward Talbee, Tibbitts Hopkins, William Sheehan, Jonathan Spears, Thomas Tew, Caleb Tripp, Thomas Rose, Thomas Jenckins, Samuel Saunders, Samuel Stoneman, Giles Russell, Mitchel Case and Israel Peck.

Second lieutenants—Joseph Stanton, Jr., Benjamin Carr, Dan. Byrn, Moses Bowdish, Abner West, Moses Warren, Solomon Roffey, Samuel Watson, Jr., Thomas Collins, Tamberlin Campbell, Daniel Champlin, Samuel Weatherby and William Pulling.

Ensigns—William Bennett, Stukely Stafford, Thomas Swinburne, Jr., Arthur Fenner, Jr., George Cornell, son of Clarke; Recorde Tabor, Nathan Rice, Asa Bowdish, Asa Kimball, John Manchester, of Portsmouth; John Beverly, Nathan Bliven and Peleg Slocum.

Lieutenant Giles Russell, adjutant of the regiment.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that a rate or tax, of £11,000, in the bills of credit emitted by this government, called lawful money, be assessed upon the inhabitants of this colony; and levied, collected and brought into the general treasury, by the last day of October next, for paying off the government's troops upon their return from the campaign.

An Act in addition to two acts, made and passed by the General Assembly of this colony; one, at the session begun and holden at Newport, on the first Wednesday of May, 1755, entitled, "An act to prevent any person purchasing and detaining any of the apparel and arms, belonging to any soldier enlisted in this colony;" and the other, at the session begun and holden at Newport, on Monday, the 12th of June last, entitled, "An act to prevent the detaining or secreting soldiers already enlisted, or that may be hereafter enlisted into His Majesty's service, in this, or either of the neighboring governments, in New England."

Whereas, this Assembly hath received information, that notwithstanding the aforesaid acts, several tavern keepers, inn-holders, and sellers of strong drink, in this colony, have been guilty of aiding, assisting and attempting to carry out of the government's service, many of the soldiers enlisted into the colony's pay; which, if not timely prevented, will prove prejudicial to His Majesty's service; to preventing whereof,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that if any tavern keeper, inn-holder or other vender of strong drink, in this colony, shall, at any time after the publication of this act, be found aiding, assisting, secreting, or attempting to secrete, or by any other ways or means endeavoring to carry out of the colony, or deprive the same of any soldier lawfully enlisted into His Majesty's service, in the colony's pay, he, she, or they, so offending, shall, upon legal conviction thereof, forfeit and pay as a fine, into the general treasury, the sum of £500, for every offence;

to be recovered in manner and form, as by either of the said acts, aforesaid, is directed ; and such tavern keeper, inn-holder, or vender of strong drink, shall have his or her license taken away by the town council of the town in which the offence may be committed ; and rendered incapable for ever afterwards, of keeping a tavern, inn, or selling strong drink, in this colony.

An Act for better regulating officers, and the colony's agent, at Albany, the ensuing campaign.

Whereas, it is found prejudicial to the interest of this government, for officers, as in the last campaign, to draw large sums of money out of the hands of the colony's agent at Albany,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that for the future, no order drawn on the colony's agent, at Albany, shall be allowed or paid by the government, unless it be signed by the colonel ; or, in his absence, the next commanding officer of the regiment ; who are hereby restricted, and positively forbidden to draw any order upon the said agent,—be the same either for officers' or soldiers' wages, or any other matter or thing, whatsoever,—necessary expenses, which cannot be paid in the currency of this colony, only excepted.

And that a copy of this act be transmitted unto the colony's agent, at Albany.

It is voted and resolved, that the committee of war be, and they, or the major part of them, hereby are, appointed to audit the accounts of Mr. Volkert Doun, Jr., with this colony, and make report unto the General Assembly, at their next session ; that they, the said committee, in the mean time, cause a sum, not exceeding £2,000, New York currency, to be lodged by the best ways and means they can, in the said Mr. Doun's hands, in order to pay the balance that shall be found due to him from the colony ; and further to supply the colonel, or, in his absence, the next commanding officer of our regiment, with money, as he shall have occasion to draw for it, from time to

time, agreeably to an act made and passed by this Assembly, for that purpose.

And that a copy thereof, be sent to the above named Volkert Doun, at Albany.

It is voted and resolved, that the committee of war be, and they, or the major part of them, hereby are, appointed to fill up, before the march of the troops, all vacancies that may happen, either by death, refusal or any other ways or means, whatsoever, among the commissioned officers in the regiment ordered by this colony, for the ensuing campaign; which power shall always be good and valid in the recess of the General Assembly, and then only.

It is voted and resolved, that the committee of war be, and they hereby are, directed to settle with all the officers of the regiment raised by this colony for the last campaign, before they march for the next, and pay or receive the balance, as the same may happen.

An Act in addition to an act, made and passed by the General Assembly of this colony, at their session begun and holden at South Kingstown, on Tuesday, the 14th of February, 1758, entitled "An act to oblige the inhabitants and inn-holders of this colony to receive and entertain the recruits that may be raised therein, for His Majesty's service."

Whereas, the provision made in and by the act, aforesaid, for the billeting regular soldiers, proves insufficient to answer the purpose; therefore as a further encouragement to inn-holders, tavern keepers, and others, within this government, to receive and billet regular soldiers,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that for the future, every inn-holder, tavern keeper, and other person, whatsoever, in this colony, who shall take in a regular soldier to billet, shall be allowed and paid not exceeding twenty-five shillings per day, for every soldier that he or she may billet; always deducting the King's pay out of the same; which is to be certified by the officer who gave orders for the said soldiers' billeting.

And be it further enacted by the authority aforesaid, that if any inn-holder or tavern keeper within this colony, shall refuse to receive a regular soldier or soldiers, in his or her house, when an order for billeting is made out, and sent by a proper officer of the town where such soldier or soldiers shall demand billeting, he or she so refusing, shall suffer and pay, as a fine, the sum of £3, lawful money, to be recovered for the colony's use, by warrants before two justices of the peace, in the town where the offence shall be committed.

And be it further enacted by the authority aforesaid, that every officer giving orders for billeting, as is aforesaid, shall always be careful to avoid sending more soldiers unto the house of any person, than the circumstances of such person will allow; and if any difference shall arise between the officers that gave orders for billeting and the house keeper who shall receive a soldier or soldiers to billet, about the number of soldiers, such dispute shall be decided and settled by one or more justices of the peace, living near the said house keeper; which judgment or decision shall be final and conclusive.

[Here follows the account of the committee of war, John Gardner and Peter Bours, living in Newport, of the disbursements made by them, on account of the campaigns of 1757-58, against the French. The account, which is very long, and minute in its details, shows expenditures amounting to £308,080 15s. 3d., which is duly audited by John Tillinghast and James Sheffield, the committee appointed for the purpose.

Next, is the account of Daniel Jenckes, of the committee of war, of disbursements by him, for the same campaigns, amounting to £48,988 16s. 10d., which is duly audited by Obadiah Brown, Jos. Lippitt and Samuel Chace.

This is followed by the account of Robert Potter, another member of the committee of war, for disbursements by him, amounting to £69,314 4s. 5d., which is audited by Samuel Ward and Joseph Stanton; making the total disbursements, by the committee of war, £426,383 16s. 6d.]

It is voted and resolved, that the general treasurer sell, for the most that they will fetch, four bills of exchange, amounting to the sum of £600, sterling; which His Majesty paid the government, by the hands of His Excellency Gen. Amherst, for the billeting of soldiers, &c., and was lodged in the general treasury, by Col. Henry Babcock.

It is voted and resolved, that every able bodied, effective man, who will enlist into His Majesty's service, in the pay of this colony, for the ensuing campaign, shall be allowed one month's pay, and billeting back, from the time of his enlistment; and that every one who hath already enlisted, and it is not yet a month since, shall be allowed so much, as will, with what is now due, make up a month's pay and billeting.

It is voted and resolved, that the wages of the person who shall go surgeon of the regiment, by this colony ordered for the ensuing campaign, be £12, lawful money, per month; and that each of his mates shall be allowed and paid £5, of the like money, per month.

And it is also voted and resolved, that the committee of war, be, and they hereby are, directed to procure, under the inspection of the surgeon, a doctor's chest, for the use of the regiment; and that the said chest be as good a one as can be got for £2,000, old tenor.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, there shall be made an addition of one person more unto the committee of war, in the county of Kings county.

It is voted and resolved, that Nicholas Gardner, of Exeter, in the county of Kings county, Esq., be, and he is hereby, added unto the committee of war, in the said county.

An Act for augmenting the troops, now in the pay of this government, to the number of one thousand men, including officers, and forming the whole into one regiment, for His Majesty's service.

Whereas, the General Assembly, at the session begun and

holden at Providence, within and for the colony aforesaid, on Monday, the 18th of December last, made and passed an act, for retaining in the government's service, all able bodied, effective men, then in the pay of the colony, during the pleasure of the General Assembly, excepting the field and commissioned officers, who were discharged; and also ordered new levies to be immediately made for His Majesty's service, agreeably to the request of His Excellency General Amherst.

And whereas, the King hath been pleased, by a letter from the Right Honorable William Pitt, Esq., one of his principal secretaries of state, bearing date the 9th day of the month above mentioned, to acquaint this colony that he expects the several governments will raise at least as many men as they respectively raised the last year, and as many more as their circumstances will admit;—

In obedience, therefore, unto the instructions, aforesaid, and to the end that every thing in the power of this colony may be done for His Majesty's service,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the troops now in the government's pay, be augmented to the number of one thousand able bodied, effective men, including officers, and formed into a regiment of thirteen companies, to be commanded by a colonel, a lieutenant colonel and a major; each of which thirteen companies, shall be under the command of one captain, two lieutenants and an ensign;—three excepted, which are to be commanded by one of the field officers, two lieutenants and an ensign.

And be it further enacted by the authority aforesaid, that the officers shall have and receive the same pay as they had the last year, and be allowed £6 per week, for billeting.

And for an encouragement to the soldiers now belonging to the regiment, to behave well, and to induce others to enlist into the same,—

Be it further enacted, that each soldier shall have a knapsack and blanket from the government, gratis; receive the same pay and billeting, and be entitled to all and every the

privileges and immunities that the soldiers had and enjoyed the last year ; bounty only excepted.

And the officers and soldiers shall be paid up to the 29th day of next month ; and have one month's pay advanced after that time.

And the committee of war is hereby directed to send so many of the soldiers to Albany, by water, as the vessels to be employed in transporting provisions thither, will carry ; and the remainder shall march by land, or be sent by water, as His Excellency General Amherst may direct ; so as to be there by the 10th day of April, at furthest.

And for the better supplying the regiment in the cheapest manner, with clothing and other necessities, not furnished by the crown,—

Be it further enacted, that a commissary be appointed, who shall also be sutler to the regiment, and have the same pay as was allowed to the commissary and sutler both, the last year.

And he is hereby directed and required to deliver unto the soldiers, such things as the government shall send for the use of the regiment, at the prime cost, including all charges that may accrue thereon ; provided, that the said officer deliver nothing to any soldier, without an order from the captain, or other commanding officer of the company (for the time being), to which such soldier belongs ; and the officers are hereby restricted and forbidden to draw any order or orders on the commissary for clothing, or other necessities, excepting the monthly and camp wages due to the soldier that applies for the same.

And it is further enacted, that the gentleman who shall be elected unto the conjoined offices of commissary and sutler, shall give bond unto the general treasurer, in the penal sum of £50,000, old tenor, for the faithful performance and discharge of his duty in every respect.

And he shall not carry with him, on his own account, any necessities of the same kind with those that shall be sent by the government ; and as the officer, above mentioned, may want assistance, he is hereby authorized and fully empowered

to appoint a deputy or deputies, under him, to be chosen out of the regiment, by and with the consent of the colonel; nevertheless, he, the said officer, shall be accountable for the conduct of any person or persons whom he shall so appoint.

And to prevent soldiers from leaving the regiment, without an absolute necessity,—

Be it further enacted, that no officer shall grant a furlough to any soldier, excepting the colonel, or other commanding officer of the regiment, for the time being; and all soldiers that shall leave the regiment without such furlough, shall be deemed deserters, and treated accordingly.

And be it further enacted by the authority aforesaid, that the committee of war give directions unto the several officers, which, and how many of the men already enlisted, they shall respectively command; and the officers are hereby required to call their men together, within ten days after the rising of this Assembly; and to take care that they are in readiness to embark or march for Albany, by the 25th day of the next month.

And be it further enacted by the authority aforesaid, that the committee of war send to Albany, for the use of the troops, in addition to what are there already, two hundred and eighty-three shirts, forty-one caps, four hundred and one pair of stockings, two hundred and ninety-eight flannel jackets and seventy-two pair of breeches; and no other clothing, except such as the commissary shall expressly send for, by and with the allowance and direction of the colonel.

And for the more effectual carrying this act into execution,—

Be it further enacted, that the general treasury shall be supplied with the sum of £16,000, of the bills of credit, called lawful money; that £12,000, thereof, be immediately printed, and signed by the committee who signed the last bills, of the same tenor and form with those that were emitted in October last; and that the same be paid and redeemed within five years, together with the interest thereof, at the rate of five per cent. per annum, by a rate or tax to be assessed and levied on

the inhabitants of this colony ; and that in the mean time, the general treasurer hire what money he can, not exceeding the sum of £4,000, lawful money, upon the same terms he was directed by an act of the General Assembly, made and passed the last October ; and what shall be wanting of the said £4,000, at the time of the £12,000 being printed and finished, be immediately printed and signed in manner as is above-said.

And it is further enacted, that the committee of war collect all the King's arms that were issued to the colony's troops last year, which can be found in the government ; and having got them put into proper repair, send them to Albany, according to General Amherst's request.

And be it further enacted by the authority aforesaid, that the surgeon of the colony's regiment, shall be furnished and provided with a proper chest of medicines, and be assisted with two good mates, during the campaign.

And that if Canada be reduced to the obedience of His Majesty during the present campaign, each of the soldiers in the service of this colony, shall be entitled to the sum of £10, lawful money, on his return, agreeably to the promise made the soldiers last year.

An Act for dividing the town of Providence.

Whereas, a large number of the inhabitants of the western part of the town of Providence, preferred a petition, and represented unto this Assembly, that there are within the limits of the said town, upwards of four hundred freemen, great part of whom live near ten miles from the place where the town meetings are usually holden, and the prudential affairs of said town transacted ; and that, when met, they are very much crowded, to the great hindrance of business, which being very inconvenient, they prayed to be set off, made and erected into a distinct township. On consideration whereof,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the said town of Providence be, and the same is hereby, divided into two distinct and

separate towns ; and that the bounds between them begin on the southern bank of Woonasquatucket River, due north from the easternmost part of a certain hill, called Solitary Hill ; and extend due south, from the said easternmost part of this said hill, unto the northern line of the town of Cranston ; thence westerly, with the said line, until it meets with the eastern line of the town of Scituate ; thence, northwardly with said line, until it meets with the southern line of the town of Smithfield ; thence eastwardly with the said line, until it comes to a certain place where the said Woonasquatucket River crosseth the said southern line of the said town of Smithfield ; and thence eastwardly, with the said river, until it comes to the first mentioned boundary. And that all the lands included within the limits aforesaid, shall be, and hereby are, erected into and made a town, to be distinguished, called, and known by the name of Johnston ; and the inhabitants thereof, shall have, hold, and enjoy, all and singular, the liberties, privileges and immunities, that the other towns in this colony are entitled to.

And be it further enacted by the authority aforesaid, that all debts due or owing, and money belonging to the town of Providence, before the division thereof, by this act made, shall be divided in proportion to the last tax ; and all debts due from the said town before the said division, shall be settled and paid in the like manner.

And be it further enacted by the authority aforesaid, that all and every of the justices of the peace, and military officers that were chosen and appointed for the town of Providence, who live in that part thereof which is now made Johnston, be, and they hereby are, continued in their respective offices, with as full power and ample authority, in every respect, as they had in consequence of their being chosen into and commissioned for the offices by them respectively sustained.

And Col. Christopher Harris is hereby authorized and fully empowered to issue a warrant, and call the freemen of the said town of Johnston, to meet together at some convenient place within the same, on or before the 20th day of the next month,

in order to choose and appoint officers necessary for the managing and conducting the prudential affairs of the said town.

And it is further enacted, that the aforesaid town of Johnston shall send two jurors, to wit: one grand and one petit, unto all and every of the superior courts of judicature, courts of assize, and general jail delivery; and also unto all and every of the inferior courts of common pleas and general sessions of the peace, that shall be hereafter holden within and for the county of Providence.

It is voted and resolved, that the committee of war be, and they are hereby, empowered and directed to get thirty-six great coats made for the use of the regiment, by this colony ordered for the ensuing campaign; which coats shall be worn only by the guards of the regiment.

It is voted and resolved, that His Honor the Governor be, and he hereby is, requested to write unto the Honorable James De Lancey, Esq., lieutenant governor of the province of New York, and desire him to deliver the plate which was taken out of a church in Porto Plato, on the island of Hispaniola, and is now in his hands, to the Spanish gentleman that was sent by the president of St. Domingo, to New York, on purpose to receive the same.

It is voted and resolved, that Mr. Joseph Hollway be, and he hereby is, chosen commissary and sutler to the regiment ordered by this government for the ensuing campaign; Mr. Thomas Rodman (son of Clarke Rodman, late of Newport, physician, deceased,) surgeon; and Messrs. Benjamin Brown and Thomas Munro, mates to the said surgeon.

It is voted and resolved, that His Honor the Governor be, and he hereby is, requested to cause the accounts of billeting transport hire and so forth, for part of the year 1756 and the whole of 1757, to be made out agreeably to the form laid before this Assembly by Col. Henry Babcock, and send them to His Excellency Gen. Amherst, by the said colonel, in order for payment; and that the said money, when received by him, be lodged in the hands of Mr. Volkert Doun, Jr., the colony's agent.

It is voted and resolved, that Allen Brown, Esq., and Mr.

William Smith, be, and they hereby are, appointed a committee to procure materials for building a brick court house in Providence, of such dimensions as shall hereafter be agreed on by the General Assembly ; Obadiah Brown, Esq., having engaged to take the timber at the price it cost, in case the same shall not prove suitable for such a house as may be agreed upon, as is aforesaid.

God save the King.

Admiral Durell to the Governor of Rhode Island.

Princess Amelia, Halifax Harbor,

14th February, 1759.

Sir :—Herewith enclosed, is a letter I have written to Your Honor and the Council of Rhode Island, in hopes thereby to procure some men for His Majesty's service.

If you should prevail in this matter, you will be pleased to appoint some person to pay the promised bounty, and I will send bills on the navy board for the amount. And also, if no other way be found to transport them to this place, desire that passages, &c., may be provided for them, which expense shall be defrayed by Mr. Jos. Gerish, the naval officer at this port.

I am, with great respect sir,

Your most obedient, humble servant,

PHI: DURELL.

To the Honorable William Greene, Esq.

Admiral Durell to the Governor and Company of Rhode Island.

Princess Amelia, Halifax Harbor,

14th February, 1759.

Honorable Sirs :—As the equipping and completely manning the squadron under my command, so as to be ready for service early in the spring, may be of the utmost consequence to His Majesty's interest in general, and particularly to these his colonies ; and as by death, and some desertion, we have lost a considerable number of men since our being here, which requires to be recruited by a supply of seamen, if possible to be got ; if not, shall be obliged to apply for soldiers from some of the regiments serving here, which I am apprehensive might prove detrimental to the operations by land, the ensuing campaign.

I therefore think it most conducive to the good of the service, to make application to His Majesty's governors and councils of the different provinces, for their assistance in raising such a number of seamen, as they conveniently can, in such manner as will be most agreeable to their several governments.

And as I am sure the Governor and Council of the colony of Rhode Island have His Majesty's interest much at heart, am satisfied every thing in their power will be done to forward this service.

On my part, as an encouragement, I promise that every able bodied seaman, who shall enlist to serve in His Majesty's squadron, for the term of twelve months or more, shall immediately receive forty shillings, sterling, bounty, and be punctually discharged at the expiration of the term enlisted for. And further, that they shall not be carried either to Europe, or the West Indies; but shall be discharged in some one of the northern colonies.

I am, with great regard, honorable sirs,

Your most obedient, humble servant,

PHI: DURELL.

To the Honorable Governor and Council of the colony of Rhode Island.

General Amherst to the Governor of Rhode Island.

New York, 16th February, 1759.

Sir:—I yesterday had the honor of receiving a letter from Mr. Secretary Pitt, bearing date the 9th of December last, signifying to me, that His Majesty had judged it expedient to despatch his orders to the several governors in North America, for levying the same, or a greater number, if possible, of men, than they did for the last campaign; and at the same time enclosed to me the copies of his circular letters to the northern and southern governors, on that subject, wherein the King's directions are so fully stated, that I can have little else to add, than my most earnest recommendations to you forthwith to use your utmost endeavors and influence with the Council and Assembly of your colony, to induce them to raise, with all possible despatch, within your government, at least as large a body of men as they did for the last campaign; and even as many more as the number of its inhabitants may allow; in which, I should hope you will prove the more successful, as I have already prepared you for it, so long ago as by my letter of the 13th December last; and that, agreeably to your desire, the services for which these troops are required, are pointed out in Mr. Pitt's letter, the knowledge of which, you mentioned, would give great success to the levies.

At the same time, I must not omit cautioning you, that as secrecy in all enterprises on particular places, is of the greatest importance, you will use all proper discretion in communicating by name, any of the immediate objects pointed out by Mr. Pitt, further than to such persons to whom it may be necessary, for the good of the service, confidentially to entrust the same.

As I propose to begin the operations of the ensuing campaign so soon as the season will permit me, and if possible, much earlier than the 1st of May, I must, notwithstanding Mr. Pitt's letter, desire that the troops of your colony may be at Albany by the 10th of April, at furthest.

I must likewise particularly recommend to you the strict and immediate observance of His Majesty's directions relative to the collecting, and putting into the best condition, all the arms issued last campaign, and that have not been returned, which can be any way rendered serviceable, or that can be found within your government, in order that the same may be employed as far as they will go in this exigency.

And as most people in North America have arms of their own, which, from their being accustomed to, and being so much lighter than the town arms, must be more agreeable and proper for them, I do, as an encouragement for their com-

ing provided with them, engage to pay for every one of those they shall so bring, and that may be so spoiled or lost in actual service, at the rate of twenty-five shillings a firelock, which I understand was allowed last campaign.

I am, &c., &c.,

JEFFREY AMHERST.

To the Honorable Governor Hopkins.

General Amherst to the Governor of Rhode Island.

New York, February 20th, 1759.

Sir:—Col. Babcock delivered me your letter of the 15th January, together with the two accounts mentioned therein, of subsistence and costs of transportation of the Rhode Island troops in the years 1757 and 1758; the former of which, particularly, I could have wished had been settled by the Earl of Loudoun, or his successor, as you cannot but be sensible, that I must be a stranger to a transaction passed so long before my time.

However, upon the reasons you give for its having been delayed till now, and being desirous of doing your colony all the justice in my power, I have caused those accounts to be laid before the proper officer; and that they might be the better understood and supported, I desired Col. Babcock would attend him, with the vouchers you mention he was provided with, which he accordingly did; when, upon examination of those accounts, and vouchers, neither of them proved properly made out, nor properly supported; but more particularly those for 1757, which will be returned you by Col. Babcock, to be made out according to the annexed form, and to be attested by the muster master of the colony, certifying at the foot of each list, that the officers and men therein named, were really and truly enlisted and subsisted for the number of weeks and days set against each of their respective names.

The charge of thirty days' subsistence to each of the four hundred and fifty men, from the time they left Albany until that of their being discharged at home, cannot neither be allowed of, by any means. Because, according to the proportion allowed the other provinces in such case, they would only be entitled to twenty days, at most; and that as they returned by water, there is a very strong presumption that they were victualled by the crown, which I shall know soon, and inform you of.

As I find it has been a constant custom to pay for the freight of such troops as came by water, at the rate of so much per head, I cannot possibly break through that practice; you will therefore ascertain in the most authentic manner, what number of your troops marched by land, and what came by water, in 1757; for the latter of which, the colony shall be allowed eight shillings, currency, a man.

I come now to the accounts for 1758, the billeting rolls for which were likewise so irregularly made out, that Col. Babcock has been obliged to make them out anew, and to attest them; but he could do nothing in the article for freight until he had your sanction; and as it is most regular to finish accounts all at once, I proposed doing nothing therein until he had obtained it. But upon his representing to me that the colony was in great want of money, for payment of their troops, and that I should greatly serve them, in issuing the warrant for the provision money, I did, being willing to oblige and encourage them, yesterday grant him that warrant for £1,158 10s., sterling, with which he proposes to join you immediately.

As I have already mentioned the method to be observed with regard to the freight of the troops, I have only to add, that you will follow the same rule for 1758, that is prescribed for the preceding year; and to remember to give credit for the £221 15s., New York currency, which has already been paid by Capt. Christie on that account; on the other hand, what he did pay, being three shillings per man short of the real allowance, they will be made good to you.

I must not omit to return you and the General Assembly, my most sincere thanks for their ready compliance with my former requisition; you will, before this, have received another, together with Mr. Secretary Pitt's letter, which I dare trust will meet with the like commendable attention.

I am, with great regard, sir,

Your most obedient, humble servant,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

General Amherst to the Governor of Rhode Island.

New York, March 25th, 1759. .

Sir :—As I have not yet received your answer to mine of the 16th and 20th of last month, I naturally conclude that you have succeeded with the your Assembly, in obtaining from them, what I requested of you, by virtue of Mr. Secretary Pitt's letter of the 9th December last; and that the first notice I shall receive from you, I hope soon, will be, that the troops in the service of the colony of Rhode Island, are ready to take their departure for the place of rendezvous; in that confidence, and in order to prevent, as much as in me lies, the arising of any difficulties in this year's accounts, as was the case in the preceding, I now send you, for your guidance, the method you will be pleased to observe in stating them in such manner, as will warrant to me the payment thereof.

In order to this, I must recommend to you, that those accounts may be kept in the form I transmitted to you on the 20th of February, and be, as I then mentioned, attested by the muster master general of the colony of Rhode Island, or yourself, certifying that the men specified therein were actually in the pay of the colony on the day of the receipt of mine of the 16th of last month, and continued therein for the services of the ensuing campaign, by virtue of which, they will, from that day, until that of their receiving the King's provisions, be entitled to four pence, sterling, each, per diem, in lieu of provisions; as will likewise those that may have been enlisted thereafter, to complete your quota, from the day of such their enlistment, to ascertain which you will transmit along with the muster rolls, their several attestations, taken before a public magistrate; all which, upon their arrival at Albany, shall be laid before the officer, whom I shall appoint to muster them, who will have directions to pay those four pences for every effective man, that he shall so muster.

And as it will be a great ease to your troops to transport them by water, rather than march them by land, you will, of course, take up as many sloops as you shall think necessary for that purpose, and cause them to be victualled with a sufficient quantity of provisions, to subsist them in their passage to Albany; for which subsistence, you will reimburse yourself out of the four pences that shall be granted to them, as aforesaid, at the place of rendezvous.

And with regard to the freight of those sloops, that shall be paid for by the

crown, in the usual manner, of eight shillings, New York currency, for each man that is landed at Albany; or five shillings, like currency, for every one of those that shall be put ashore at New York; but I would much rather choose that they should all come to the former of those places, as it will prevent a number of inconveniences that otherwise must happen; and this may be easily done, by hiring sloops that draw the least water.

In order that the person whom I shall appoint to muster them at Albany, may be the more exact and precise in his returns, you will direct the officer that shall have the command of them, not to suffer any of his men to go ashore until they shall have been mustered; and as this expense of transportation and victualling will run very high, and that the success of all operations greatly depends on a superiority of numbers, and the goodness of them, I hope it will be an additional motive to prevent the continuing or enlisting into the service any unserviceable old men or boys, all which will be rejected by the person whom I shall appoint to muster them, and will not be entitled either to their freight or billeting; both of which, shall likewise be stopped from the deserters.

I am, with great regard, sir,

Your most obedient, humble servant,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1759.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

FREEMEN ADMITTED.

Whereas, all and every of the persons whose names are inserted in the subsequent roll, have taken the oath or affirmation prescribed by the law of this colony against bribery and corruption in choosing public officers, as appears by proper returns from the respective town clerks,—

It is therefore voted and resolved, that they, and every of them be, and hereby are, admitted freemen of the colony and consequently may lawfully give their votes to choose officers, not only for their respective towns, but also in the choice of general officers.

Newport—Solomon Townsend, Jabez Carpenter, Gideon Cor-

nel, Jr., William Stephens, John Goddard, son of John ; Ebenezer Carr, Alexander Bradford, David Lindsay, Paul Coffin, John Pate, Charles Fourtane, Richard Ward, Jr., George Nichols, Joseph Tillinghast, son of Philip ; Elias Bryer, the third, Henry Potter, John Townsend, William Taylor, Joseph Southwick, Maxon Mosier, Thomas Wickham, Jr., Thomas Weaver, Jonathan Clarke, James Hawkins, Jethro Spooner, James Mumford, Jas. Hardy, Sam'l Tompkins and John Heffernan.

Providence—Charles Keen, George Payson, Jonathan Allin, Benjamin Shepherd, Nathaniel Finney, Richard Seavers, Woodberry Morris, Joseph Belknap, Job Smith, John Olney, Jr., Noah Matthewson, Joseph Arnold, William Pain, Ithamar Olney, Abiel Smith, Levi Burr, Amos Allen, John Andrews, Jr., Joseph Crawford, Jr., Jonathan Knowles, James Verry, Nehemiah Ward, Joshua Greene, Barzillai Fisher, Joseph Hawkins, Nathan Sterry, Samuel Thurber, shipwright ; Robert Foster, Morris Hearn, John Cary, Jos. Russel, Henry Bacon, Gideon Dexter, Caleb Greene, Jeremiah Smith, Stephen Hartshorn, Michael Cushing, Silas Downer, David Smith, John Fitten, Joseph Tillinghast, Anthony Tripp, Rowland Sprague, Jonathan Olney, Jr., William Lockwood, Urian Davis, Gideon Young, Jr., Simeon Hunt and John Adlin, Jr.

Portsmouth—Peleg Tallman, Jos. Shearman, Geo. Brownel, Jr., Jeremiah Lawton, Samuel Pearce, Robert Freeborn, Wm. Brightman and John Manchester.

Warwick—Richard Greene, son of John ; Benoni Price, Jr., Job Rice, Christopher Greene, John Knap, Joseph Arnold, son of Philip ; Benoni Lockwood, Charles Holdon, Jr., Simeon Arnold, Daniel Sweet, Jr., Nathaniel Arnold, John Tibbits, Silas Clap, James Sweet, Job Arnold, Job Tripp and Edward Gorton, Jr.

Westerly—Peleg Sisson, William Scriven, James Crandal, Jr., Nathan Saunders, Robert Brand, Benj. Stillman, Jos. Maxson, Benj. Lanphear and William Steward.

New Shoreham—Amos Dickens, Ray Sands and Ezekiel Rose, Jr.

North Kingstown—Peter Tourgee, Jr., Benjamin Diamond,

Jonathan Reynolds, Thomas Cooper, James Cooper, Jedediah Kingsley, Benjamin Allen, Jr., William Cole, Gilbert Cooper, John Spencer, Oliver Carpenter and William Congdon.

South Kingstown—Elisha Watson, Joseph Taylor, John Watson, the third, Thomas Hawkins, Sylvanus Greenman, Jr., John Peckham, Clarke Gardner, Jonathan Babcock, son of David, Holdon Eldred, Samuel Congdon and William Weight.

East Greenwich—Jonathan Olin, William Bailey, Ebenezer Herrington, John Arnold, Jr., Nathan Spencer and William Burlingham.

Jamestown—John Gardner and James Carr, Jr.

Smithfield—Caleb Buxton, Joseph Whipple, Oliver Man, Jabez Wing, Daniel Wing, John Smith, the third, Charles Winsor, Samuel Arnold, Jehu Pain, Benjamin Thompson, William Alverson, Joseph Mowrey, John Man, Jedidiah Buffum, Elisha Steere, Nathaniel Mowrey, Isaac Phillips, Solomon Shippey, Elisha Smith, Jr., Hezekiah Sprague and Samuel Thomson.

Scituate—John Fisk, Jr., Richard Smith, Jeremiah Weatherhead, Joseph Kimbell, Jr., Ephraim Salisbury, Philip Matthewson, Vial Thomas, Joseph Guile, Jr., John Horton, James Seamans, Matthew Hill, Christopher Bullock, John Horton, Jr., Joshua King, Daniel Whitaker and Samuel Whitten.

Gloicester—Abraham Fairfield, Silas Cook, Abraham Saunders, Zebedee Hopkins, Jr., William Aldrich, Nathaniel Blackmarr, Joseph Shippey, Israel Inman, Henry Shippey, Jeremiah Phillips, William Colwell, Jr., William Bishop, Abraham Baker, Moses Bowdish, Nathaniel Bowdish, Joseph Page, Jr., Samuel Salisbury, John Andrews, Jr., Jedidiah Sprague, Stephen Salisbury, John Burdick, Joseph Ross, Asa Kimbell and John Andrews, son of John.

Charlestown—John Champlin, Thomas Kinyon, Jr., James Kinyon, Edward Wilcox and Isaac Saunders.

West Greenwich—Joseph Bowdish, Joseph Hopkins, son of William, William Thorne, George Dyre, Abraham Bowdish and Job Greene.

Coventry—Stephen Bates, Hezekiah Bennet, Abel Potter,

Jr., Joseph Cummins, Thomas Love, James Colvin, Ephraim Burlingham, Charles Campbell and Ebenezer Lewis.

Exeter—Peleg Mumford, Thomas Barber, Jr., Samuel Sweet, Jr., Simeon Rathbun, Adam Richmond Francis West, John Rathbun, son of John, late of New Shoreham; Jeremiah Gardner, Spink Hyams and Roger Sheldon.

Middletown—Jos. Card, Jr., Jonathan Weeden, John Holmes and Edward Easton.

Bristol—Wm. Holmes, Jeremiah Ingraham, Jonathan Russell, Hezekiah Usher and Peter Church.

Tiverton—Walter Cooke, Benjamin Crandal, Nathaniel Crandal, John Weight, Jonathan Hart, Jr., Sion Seabury, George Crocker, Bennet Bailey, Christopher Borden, David Manchester, Recompence Gifford and Nathaniel Pettey.

Little Compton—John Peabody, Jr., Gideon Taylor, Constant Woodman, Gideon Salisbury, Thomas Davenport and Philip Taylor.

Cumberland—Daniel Lawrence, Ebenezer Robbins, Oliver Capron, Samuel Clarke, Enoch Tower, Joseph Commins, Jr., Richard Weeks, Abraham Joslin, John Estes, John Arnold and Nathaniel Shepherdson.

Richmond—Wm. Bentley, Jr., Barnaba Hoxsie, John Watson, Abel James, Edward Lillibridge, Benjamin Card and John Peterson.

Cranston—William Bennet, Christopher Williams, Thomas Sarle, Nicholas Sheldon, Jr., Edward Fenner, Jr., Lippitt Remington and Nehemiah Sheldon, Jr.

Hopkinton—Wm. M'Coon, Isaiah Maxson, John Porter, John Stanbrough, Nathan Palmer, Richmond Reynolds, Hezekiah Hall, Eber Crandal, Jos. Greene, Benj. Maxson, Jos. Cole, Jos. Witter, Jr., Gideon Allen, Matthias Button, John Deak, John Tanner, David M'Coon, Jacob Hall, Caleb Wells, Josh. Wells, Nathaniel Wells, Parker Burdick, Samuel M'Coon, Daniel Lewis, Samuel Crandal, John Steward, Stephen Allen, Daniel Butler, Stephen Maxson and John Crandal, Jr.

Johnston—Consider Luther, George Beverly, Jr., Ephraim

Peirce, Andrew Harris, Thomas Borden, Josiah Harris, Zephaniah Eddy, Benjamin Waterman, Jr. and Samuel Smith, Jr.

The following officers, declared elected, were duly engaged :

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

| | |
|-----------------------|------------------------|
| Mr. James Honeyman, | Mr. Jonathan Freeborn, |
| Mr. Nicholas Easton, | Mr. Joseph Edmunds, |
| Mr. Jabez Bowen, | Mr. Jonathan Randall, |
| Mr. Nicholas Cooke, | Mr. Francis Willet, |
| Mr. William Richmond, | Mr. Henry Gardner. |

DEPUTIES.

| | |
|-------------------------|--------------------------|
| <i>Newport.</i> | <i>Westerly.</i> |
| Mr. Gideon Wanton, Jr., | Mr. Joshua Babcock, |
| Mr. John Jepson, | Col. Joseph Pendleton. |
| Mr. Peter Bours, | <i>New Shoreham.</i> |
| Col. Joseph Wanton, | Capt. Edward Sands, |
| Capt. Daniel Ayrault, | Mr. Carder Haszard. |
| Mr. William Read. | <i>North Kingstown.</i> |
| <i>Providence.</i> | Col. Immanuel Northup. |
| Capt. Isaiah Hawkins, | <i>South Kingstown.</i> |
| Mr. Daniel Jenckes, | Mr. Stephen Haszard, Jr. |
| Mr. Obadiah Brown. | Mr. Latham Clarke. |
| <i>Portsmouth.</i> | <i>East Greenwich.</i> |
| Mr. Francis Brayton, | Major John Arnold, |
| Mr. John Shearman, Jr. | Capt. John Gifford. |
| Capt. John Shrieve, Jr. | <i>Jamestown.</i> |
| Mr. Thomas Brownell. | Mr. William Martin, |
| <i>Warwick.</i> | Mr. Isaac Howland. |
| Mr. Othniel Gorton, | <i>Smithfield.</i> |
| Mr. Benjamin Arnold, | Mr. John Sayles, Jr., |
| Maj. James Arnold, Jr. | Mr. Joseph Mowrey, Jr. |
| Mr. John Warner, Jr. | |

DEPUTIES.

Scituate.

Capt. Job Randall,
Mr. Jeremiah Angell.

Glocester.

Capt. Joseph Winsor,
Capt. Rufus Smith.

Charlestown.

Capt. Robert Potter,
Col. Christopher Champlin.

West Greenwich.

Capt. Charles Carr,
Mr. Christopher Hall.

Coventry.

Mr. Caleb Greene,
Lieut. Col. Stephen Potter.

Exeter.

Capt. John Reynolds,
Mr. Benoni Hall.

Middletown.

Mr. Samuel Baley, Jr.
Mr. James Barker, Jr.

Bristol.

Mr. Joseph Russel,

Tiverton.

Mr. Philip Tabor.

Little Compton.

Mr. William Hall,
Capt. Benjamin Simmonds.
Warren.

Capt. Thomas Cole,
Major Josiah Humphrey.

Cumberland.

Mr. Job Bartlett,
Mr. Jeremiah Whipple,

Richmond.

Mr. Samuel Teft,
Mr. Joseph Clarke.

Cranston.

Mr. Joseph Harris,
Mr. John Dexter.

Hopkinton.

Major Joshua Clarke,
Capt. Edward Wells, Jr.

Johnston.

Mr. Thomas Owen,
John Waterman.

Joshua Babcock, Esq., speaker, and Josias Lyndon, Esq., clerk.

Mr. Thomas Ward, secretary.

Mr. Augustus Johnson, attorney general.

Mr. Thomas Richardson, general treasurer.

The Hon. John Gardner, chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. George Gardner. Providence coun-

ty, Mr. Allen Brown. Kings county, Mr. Beriah Brown. Bristol county, Mr. Nathaniel Bosworth. Kent county, Mr. Stephen Arnold.

COLONELS OF THE SEVERAL COUNTIES.

Newport county, Mr. Jos. Wanton, Jr.; Providence county, Mr. John Andrews. Kings county, Mr. William Pendleton; Bristol county, Mr. Thomas Greene; Kent county, Mr. Benoni Waterman.

It is voted and resolved, that the new court house, lately ordered to be built in the town of Providence, be erected upon the lot where that, that was destroyed by fire last winter, stood, or upon the lot to the northward of that whereon the meeting house of the people called Quakers, stands; provided, the same be purchased for the colony's use, and for the purpose, aforesaid, without any charge to the government.

An Act for completing the regiment ordered by this government to be raised for the King's service, against His Majesty's enemies in North America.

Whereas, soldiers are wanted to fill up the regiment aforesaid; therefore, and to encourage good men to enlist and fill up the same,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that all such able bodied effective men as hereafter enlist into the said regiment, shall be allowed and paid down, upon enlisting, wages and billeting for two months back from the time of enlisting; which amounts to. £111, old tenor; or £6 1s. 2d., lawful money; and on or about the the time of embarkation, each man shall have two months pay advanced to him.

And be it further enacted by the authority aforesaid, that the whole number of men already raised, shall, upon their arrival at Albany, be, by the field officers, distributed into thirteen companies; each to consist of men equal in number and goodness.

And be it further enacted, that the committee of war in the several counties appoint such and so many enlisting officers as they shall think proper ; and that one captain, two lieutenants and an ensign, to be selected out of four different companies, remain in the colony as recruiting officers, and in order to be sent away with recruits as they may be raised ; and that the said recruiting officers, and every other person who shall enlist an able bodied, effective man, or bring one to either of the committee of war, to be enlisted, shall have and receive fifteen shillings lawful money for every such man that enlists.

An Act for raising a number of seamen to help complete the manning a squadron of the King's ships at Halifax.

Whereas, Admiral Durell hath applied to this government for seamen, to complete the manning of His Majesty's ships, under the said Admiral Durell's command, at Halifax,—

Be it therefore enacted by this General Assembly, and by the authority of the same, it is enacted, that all able bodied, effective men, that enlist into the service, aforesaid, shall be allowed and paid as a bounty, out of the general treasury, over and above the King's, of forty shillings sterling ; that is to say : every able bodied, effective seaman, the sum of £6, sterling ; and every ordinary one, £4, 10s., like money ; that His Honor the Governor be, and hereby is, requested to issue a proclamation for the purpose, aforesaid ; and that the committee of war appoint proper persons to enlist the aforesaid seamen, and procure passages for them to Louisbourg or Halifax.

And it is further enacted, that the number of seamen who shall enlist into the service, aforesaid, be accounted part of the thousand men by the General Assembly ordered for the campaign of the current year.

It is voted and resolved, that the sum of £10,000, be allowed and paid out of the general treasury, towards procuring stores and other necessaries for the fort, and for completing the ravelins of the same, &c. ; and that six men be enlisted as soldiers for the said fort ; who are also to labor thereon ; that

the town of Newport have the direction of laying out the money above mentioned, and agree with the soldiers upon the best terms they can, and that their wages be paid out of the general treasury.

It is voted and resolved, that Mr. David Harris be, and he hereby is, added unto the committee appointed for building a new court house in Providence.

It is voted and resolved, that the general treasurer be, and he hereby is, directed to hire, at six per cent., what gold, silver, lawful money and old tenor, shall be wanted to carry on the building of the fort (agreeably to the act of this Assembly), and for sending away the troops.

And further, that the treasurer renew his bonds, at six per cent., for the money he hath hired of private persons; that is to say: such as are now due.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on Monday, the 11th day of June, 1759.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that all the officers and soldiers raised by this government for the campaign of the current year, who yet remain in the colony, and are well enough to go, be immediately sent away, in order to join the army as soon as possible.

An Act for raising \$2,400, for, and towards the erecting a public edifice in the town of Newport, to be called and known by the name of Masons' Hall.

Whereas, Robert Jenkins, Jr., master, John Mawdfly and Samuel Brenton, wardens, and the chief of the society of the

free and accepted masons, in the town of Newport, with sundry other persons, inhabitants of this colony, preferred a petition, and represented unto this Assembly, that as the said town hath no building in it sufficiently large and commodious for public entertainment, where the Governor and Council, or General Assembly may occasionally meet and dine; and where any of His Majesty's governors or other officers may be publicly entertained, as they pass through this government, they, the said society, have agreed to set on foot and erect a commodious building, to be called and known by the name of Mason's Hall, for the use of the said society and purposes, aforesaid; but finding their fund to be unequal to the expense, they prayed that a lottery may be opened and set up, in order to raise \$2,400, for carrying on and completing the proposed building; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the sum of \$2,400, be forthwith raised by a lottery, to be opened, set up, and drawn in the town of Newport; and that the following be the scheme thereof, to wit:

[Here follows the scheme of the lottery; its managers were Thomas Cranston, Esq., Godfrey Malbone, Jr., Esq., Messrs. Silas Cooke, Benjamin Mason, Christopher Champlin, Jr. and Solomon Townsend.]

Whereas, Othniel Gorton and Thomas Aldrich, Esqs, were, by the General Assembly, appointed a committee, to receive of Mr. John Walton, Jr., late clerk of the inferior court of common pleas, and general sessions of the peace, in the county of Kent, the records, seal, papers and every thing else belonging to the aforesaid office, and deliver them unto Daniel Howland, Esq., the present clerk; and whereas, the committee, above named, have informed this Assembly, that the said John Walton, Jr., refuses to deliver the said records, seal, &c., unto them,—

It is therefore voted and resolved, that the sheriff of the

county aforesaid, be, and he is hereby, directed and fully empowered, to take with him sufficient aid, and by force take from the said John Walton, Jr., the records, seal, papers and every thing else belonging to the office, aforesaid, and deliver the same unto the committee, above named, who are hereby directed to deliver them unto the aforesaid Daniel Howland.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that all fines that relate to the mending of highways, be, and they hereby are, augmented to three fold of what they now are by law.

An Act for the further regulation of the sitting of the General Assembly.

Whereas, by the law now in force in this colony, regulating the sessions of the General Assembly, the same is holden in no other counties than those of Newport, Providence and Kings county, which is found to be inconvenient,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that from and after the publication of this act, there shall be one session of the General Assembly holden by adjournment, annually, at East Greenwich, in turn from the other counties; beginning first, with the county of Newport, to wit: from this present session. The next adjournment to the said county of Kent, shall be from the county of Providence, in the year 1760; the third, from the county of Kings county, in the year 1761, and so continue annually, from county to county, in the same order; and that this act repeal so much, and no more of the former act that regulates the holding of the General Assembly, than that part which relates to the annual adjournments, aforesaid, as the same is herein above expressed.

It is voted and resolved, that the rate of £11,000, lawful money, be paid by the several counties in the same proportion as the last rate was paid.

An Act apportioning unto, and upon the several towns in this colony, the rate or tax lately ordered to be assessed and levied upon the inhabitants of the same, for paying off the government's troops upon their return from the campaign; which rate or tax hath not been paid, as yet.

Protests.

The subscriber dissents from the bill, aforesaid, and for these reasons :

First. That from sad experience, it is obvious that the merchants of the town of Newport, have lost, in the course of their trade, upwards of two millions of money since the commencement of the present war; which must greatly reduce their stock, and consequently all other persons residing in said town, who have connections with, and depend upon them for a livelihood and subsistence, must proportionably suffer; and therefore, said inhabitants are not in a capacity to pay such a proportion of the tax, as is enjoined by the bill, aforesaid.

Second. That the price of provisions and all other necessities of life, being greatly increased by reason of the war, is an additional burthen to, and greatly distresses the inhabitants of said town, who depend on trade and labor for their support; at the same time, it may be observed, that the inhabitants of the other parts of the colony, are proportionably benefited in the price of the produce of their estates, occasioned also by the war; which still shows the incapacity of the inhabitants to pay, and of consequence, the inequality thereof.

J. HONEYMAN.

We join in the above protest.

JOS. WANTON, JR.,
D. AYRAULT, JR.

We beg leave to dissent against the said vote, for the following reasons :

First. We are willing to pay a proportionable part of the tax, according to the last rate that was levied on the town of Providence, taking out the number of inhabitants that was

taken off for Johnston, and that fell to them then ; and so for a greater or or lesser sum.

Second. We are willing to come to a true estimation of the town of Johnston, and the town of Providence, and proportion according to said estimation ; which things we conceive to be reasonable, and are refused by the town of Providence, and therefore we enter our our protest against said vote.

THOMAS OWEN,
JOHN WATERMAN.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the salary of the general treasurer of this colony, shall for the future be, and hereby is, augmented to the sum of £1,000, old tenor, per annum, commencing from the time of his being chosen at the general election in May last.

An Act for raising one hundred and fifteen men, in order to complete the number of soldiers by the General Assembly ordered for the campaign of the current year.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that one hundred and fifteen able bodied, effective men be raised in this government before or on the 10th day of July next, to complete the regiment ordered by the General Assembly, for the campaign of the current year ; which men, when raised, shall be presented unto the committee of war, who are hereby directed to send them immediately unto Albany, to join the regiment there.

And for the encouragement of such men to enlist as may be fit for the purpose,—

Be it further enacted, that a bounty of £14, in the bills of credit called lawful money, emitted, or to be hereafter emitted by this colony, shall be given each able bodied, effective man that enlists within the time, aforesaid ; he shall also be entitled to the same monthly wages, privileges and immunities with the

other soldiers now in the regiment, and receive a month's pay before the time of his embarkation.

And in order to carry this act into execution,—

Be it further enacted, that there be immediately struck off, the sum of £4,000, of the bills above mentioned, for supplying the general treasury, which shall carry interest at the rate of five per cent. per annum, and be redeemed by a rate or tax, to be assessed and levied upon the inhabitants of this colony, within three years from the day of the date of said bills.

And be it further enacted, that the committee of war be, and they are hereby, directed and fully empowered to pay the bounties and wages of every soldier that shall enlist, as aforesaid, and provide transports and provisions, to carry the soldiers to Albany, as is aforesaid; and that the same committee who signed the last bills of credit, called lawful money, be, and they hereby are, authorized and fully empowered to provide materials, get the said bills printed, and when they have signed the same, put them into the hands of the general treasurer, for the purpose aforesaid, as soon as possibly they can; that His Honor the Governor transmit a copy of this act unto His Excellency Gen. Amherst, with the utmost despatch, and that the same be immediately published by beat of drum, in the town of Newport.

Which was done accordingly, the 16th day of June, 1759,
by— THO. WARD, Sec'y.

What follows, is the report of a committee appointed by the lower house:

*Report of the Committee appointed to examine the accounts of
Richard Partridge, deceased.*

“We, the subscribers, being appointed to examine the accounts of Richard Partridge, Esq., late agent for the colony, find that he has charged his salary and expenses for the year 1759, which was to become due the 17th day of August; but

as he died in March, we have deducted out of his salary and expenses from March to August, and find due £64 8s. 6d., sterling, which ought to be paid.

JOB RANDAL,
DANIEL AYRAULT, JR."

It is voted and resolved, that the committee appointed to build a new court house in Providence, be, and they hereby are, authorized and empowered to draw money, not exceeding the sum of £6,000, old tenor, out of the general treasury, as the same may be wanted, for carrying on the building of the said house.

An Act for raising \$2,000, for, and towards building a court house in the town of Providence, and purchasing a library.

Whereas, the court house, in the town of Providence, and a very valuable collection of books, were consumed by fire, in the night of the 24th of December last; which collection of books belonged to a number of persons in the said town of Providence, and in other towns in the county of Providence,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that the sum of \$2,000 be forthwith raised by a lottery, to be opened, set up, and drawn in the said town of Providence; and that the following be the scheme thereof:

[Here follows the scheme of the lottery.]

And be it further enacted by the authority aforesaid, that \$1,000 of the said lottery, when drawn, be appropriated to the use of a court house, to be erected in the town of Providence, aforesaid; and the other thousand be expended and laid out for the purchasing a collection of books, to be ever kept in the said town of Providence; free access unto which, shall be always had by the members of the General Assembly, during all and every of their sessions in the town of Providence; but nevertheless, the property of the said library shall be vested in the proprietors of the former.

And be it further enacted, that Allen Brown, Esq., Messrs. Darius Sessions, David Harris, Nicholas Tillinghast and John Jenckes, of Providence; and Mr. Benjamin Mason, of Newport, be, and they are hereby, constituted managers or directors of the said lottery; that they be under oath for the faithful discharge of the trust to them committed, give security unto the general treasurer, in double the sum of the fortunate tickets, for the payment of the prizes, to Daniel Jenckes and Obadiah Brown, of Providence, aforesaid, Esqs., who also, upon receiving of the said prizes, shall give sufficient security unto the general treasury, to apply the money forthwith unto the ends and purposes aforesaid; and that the managers or directors of the said lottery, proceed to drawing the same as soon as it shall be filled.

God save the King.

Col. Babcock to the Governor of Rhode Island.

Camp Lake George, 12th July, 1759.

Sir:—Your favor of 27th June, I had the honor of receiving the 8th current. The last time I wrote Your Honor, was from Fort Edward, giving you an account of our having received orders to march, &c.

The order of march I have enclosed for your perusal, as well as a return of the regiment. You will see this does not correspond with that; there being two companies that give me more trouble than all the regiment besides, of which shall let you know, at a proper time. By this return, you will see we want two hundred eighty-one men; make no doubt agreeably to the encouragement the General Assembly has given, which Your Honor was good enough to inform me of in your last, the regiment will be very speedily filled up.

You must excuse me, sir, when I acquaint you that the general, as well as several other officers of distinction, mention you with the greatest respect, as being hearty for the defence of the country, and a firm friend (contrary to your private interest in the colony, which I also have taken the liberty to acquaint the general of,) to His Majesty's interest in America.

Esteem myself happy in that the General Assembly took so much notice of the remonstrances made them by the general, and that it is not in the power of any person, however malevolent, to impeach them with ingratitude to their King, Mr. Pitt or their country; but that they are so well instructed in their own interest as to know that it is inseparable from that of Great Britain; which if they had not have done, could not have held up my head before the general, without blushing, and which, as my father wrote me, was much owing to you.

There never was, and we have reason to expect there never will be, a greater prospect of humbling the pride of New France, than the present; provided, the

governments will but support the general with a sufficient number of troops ; nay, perhaps, if they only complete their levies. For if we have success at Ticonderoga and Crown Point, of which, flatter myself there is no reason to doubt, they will be wanted to garrison, &c., if we go on to make a further push ; but if beaten, which God forbid ! they will be ready to support us, and prevent the country from being ravaged, &c. ; so that at any rate, the government cannot be wrong in filling up the regiment, but on the contrary, will be of infinite good to His Majesty's service.

This day, three companies of grenadiers and three companies of light infantry, together with a party of rangers and Indians, had a skirmish, about nine miles down the lake, with the enemy. The officer that acquainted the general of it, happened to see at the instant, (as I, that day, dined with the general,) who said that Maj. Rogers told him they knocked up one of the enemy's birch canoes ; for we had one eighteen pounder in the bow of one of the bow-gallies, which the enemy little thought of ; the general having directed me to send a whale-boat and an aid de camp to the party. The engagement began at 8 o'clock in the morning ; by 2 o'clock, afternoon, the general was advised of it, by a boat, Col. Broadstreet despatched to him in the beginning of the action ; Monsieur made to shore on the first report of our cannon.

Am sorry have no readier conveyance to Your Honor, but this round-about way ; for if we should have any thing new, it will cease to be such, when it reaches you ; and if we should be fortunate enough to take some of the enemy's forts, should be glad to send you the earliest intelligence. I am, &c., &c.,

H. BABCOCK.

To Governor Hopkins.

Gen. Amherst to the Governor of Rhode Island.

Camp at Ticonderoga, 27th July, 1759.

Sir :—On Saturday morning last, I embarked with the army at Lake George. The next day, landed without opposition, and proceeded to the Saw Mills, and took post on the commanding grounds, meeting only a trifling opposition from the enemy. We lay on our arms all night ; and early the 23d, we continued our march to this ground, which I took possession of in the forenoon, the enemy having abandoned the lines without destroying them ; first having carried off their effects, as well as sent away the greatest part of their troops.

As soon as I was set down before the place, and after having reconnoitred it, I ordered the trenches to be opened, and batteries to be made, which were finished last night, and were to have opened at break of day ; but the enemy did not think proper to wait till then ; having, about ten of the clock, yesterday evening, blown up a part of the fort, and made their escape, all to about twenty deserters.

Our loss, considering the fire we sustained, is inconsiderable. We have only two officers killed, viz : Col. Townshend, deputy adjutant general, and Ensign Harrison, of late Forbes's.

I take the earliest opportunity of acquainting you with this, and of assuring you that—

I am, with great regard, sir,

Your most obedient, humble servant,

JEFF. AMHERST,

To the Hon. Governor Hopkins.

Col. Babcock to [Governor Hopkins].

Ticonderoga, July 29, 1759.

Hon'd Sir:—I have so many different things to do, that I have scarcely time to turn around. For God's sake, if you have any regard to the safety of your government, as I am well assured no man can have more, be good enough, as soon as possible, to appoint Major Whiting lieutenant colonel, and Eb. Whiting, major. I beseech you to do so, as it is for the good of His Majesty's service. The latter has been solicited repeatedly to take command in Inskilling regiment, and he would not do it, without my leave; and he is so good an officer, that I could not, contrary to his private interests, let him go.

I beg you would come up, and then you will see what is absolutely necessary. We want brass kettles, which I must draw upon Dow for—but how to get them here, I can't tell. I have not two minutes notice of this express going.

The fort was evacuated the 26th July, the same day that Louisbourg surrendered.

I am, &c., &c.,

H. BABCOCK.

[This letter bears no superscription, but was probably for Gov. Hopkins]

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, on the 20th day of August, 1759.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, Messrs. Godfrey Malbone, Jr. and John Malbone, both of Newport, in the colony, aforesaid, merchants in company, preferred a petition, and represented unto this Assembly, that just before the commencement of the present war, they had sundry dealings with Mr. Matisen, a French merchant, then living in Hispaniola; that at the breaking out of the war, he had in his hands, of their absolute property, about twenty thousand livres, which they have not been able to get, and thereby have suffered great damage in their business; wherefore, they humbly prayed for liberty to send a vessel, properly commissioned by His Honor the Governor, unto the island of Cayenne, in the West Indies, with a flag of truce, &c.

And due inquiry being made into the subject matter of the petition, aforesaid,—

It is enacted by this General Assembly and by the authority thereof, that the prayer of the said Godfrey Malbone, Jr. and John Malbone, in the said petition contained, be, and the same is hereby granted ; and that the vessel they send, shall be under the same regulations and restrictions with others that go hence to the colonies, ports, or harbors of the enemy with flags of truce.

Whereas, Christian Mayer, of Newport, in the county of Newport, and colony, aforesaid, preferred a petition, and represented unto this Assembly, that there is a considerable sum of money due unto him from a French gentlemen, who lives on the island of Hispaniola ; that he, the said Christian Mayer, is fully satisfied that his debt will be paid, notwithstanding the present war, if he were properly qualified to proceed thither ; and that Peleg Thurston, of Newport, aforesaid, merchant, knowing the petitioner stands in need of the money due to him, as aforesaid, will furnish him with a vessel for the purpose ; whereupon, the said Christian prayed to have such a commission as is granted those that go hence with flags of truce unto the enemy's country, territories or dominions.

And the matter being duly inquired into and considered,—

It is enacted by this General Assembly, and the authority thereof, that the prayer, aforesaid, be, and the same is hereby granted ; provided, that the vessel be under the same regulations and restrictions with others that proceed to any port or harbor of the enemy with flags of truce.

Whereas, it appears unto this Assembly, that Daniel Wall, Esq., who was chosen lieutenant colonel of the regiment by this government raised for the campaign of the current year, against His Majesty's enemies, in North America, hath not joined the regiment, but wholly neglected his duty,—

Wherefore, it is voted and resolved, that he, the said Daniel Wall, be, and hereby is, dismissed from his aforesaid office, and cashiered ; and that his commission be, and is hereby, declared null and void ; and the committee of war are hereby restricted

from paying or allowing him any wages or billeting, whatsoever.

Whereas, Silas Cooke, of Providence, in the county of Providence, and colony, aforesaid, gentleman, late commander of a certain brigantine, called the Providence, preferred a petition, and represented unto this Assembly, that, being duly commissioned as a private man of war, he sailed with and in the said brigantine on a cruise against His Majesty's enemies; that, while he was so doing, to wit: on the 20th day of April last, two French frigates took the petitioner in the said brigantine, and carried him with all his company in her, unto the port of St. Mark, on the island of Hispaniola; where all, beside the petitioner, were committed to jail for some time; but he, at length, with his officers and all of his company, except about twenty, were sent to Jamaica, in a flag of truce; that among those who were left in jail, there were three Indians; one, named Solomon Coggeshall, another, named William Lawrence, and the third, Ichabod Ireson; all free born, and liege subjects of our sovereign lord the King, no way subject to or encumbered with any kind of servitude or slavery; that the said Indians will be deprived of their natural liberty, and made slaves, without something be done for their relief; that besides the said Indians, there were nine negroes, very valuable slaves, belonging to gentlemen of this colony; that he, the petitioner, knowing them to be highly esteemed by their respective masters, did agree, before he left the place with a certain French gentleman, to make a purchase of them, so that their owners may have it in their power to redeem them, &c.; whereupon, he, the said Silas Cooke, prayed to be authorized to proceed with a flag of truce in a proper vessel, unto the said port of St. Mark, in order to procure the liberty of the aforesaid three Indians, and redeem the negroes, aforesaid.

And now, the subject matter of the petition, aforesaid, being duly inquired into and considered,—

Be it enacted by this General Assembly, and by the authority thereof, it is enacted, that the prayer of the aforesaid Silas Cooke, therein made, be, and the same is hereby granted;

provided, nevertheless, and it is the true intent and meaning of this act, that the vessel, he, the said Silas Cooke shall embark in, be subject unto all and every the regulations that vessels going with flags of truce are by law subjected to.

An Act repealing all the laws of this colony, which restrict or prohibit the native Indians that live within the same, from disposing of their lands.

Whereas, Thomas Ninegret, of Charlestown, in the county of Kings county, and colony aforesaid, gentleman, preferred a petition, and represented unto this Assembly, that having been unhappily engaged in several law suits, in defence of his right, he hath been obliged to advance large sums of money ; which, with other necessary expenses, he was put to for clothing, board, &c., during his minority, hath greatly involved him in debt ; and as the laws of the colony now stand, he cannot, in the apprehension of some, sell or dispose of his estate for the payment and discharge of his debts ; wherefore, he, the said Thos. Ninegret, prayed that the law which relates to the purchasing lands of Indians, may be repealed, and he have the same liberty of selling and disposing of his estate, or any part thereof, as others of His Majesty's subjects enjoy ; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that all and every of the laws at any time made and passed in this colony, to restrict or prohibit the native Indians, that live within the same, from selling and disposing of their estates, be, and they hereby are, repealed, declared and rendered null and void to every intent and purpose, whatsoever.

Report of the Committee appointed to receive the books and papers of John Walton, Jr., clerk of the inferior court of common pleas, &c.

What follows, is a report made by the gentlemen, who signed the same :

East Greenwich, August the 22d, 1759.

“ We, the subscribers, being appointed by the General Assembly, held at Newport, in May last, to receive the books and papers of John Walton, Jr., late clerk of the inferior court for the county of Kent, and deliver the same to the present clerk, notified the said clerk Walton when we should attend ; and also attended on him one day, and part of another ; but he would not deliver said papers ; whereupon, we made application to the General Assembly at their session in June last ; and thereupon, the Assembly ordered the sheriff of the county of Kent to take said books and papers, and deliver the same to us ; which he has done ; and they were so intermixed, that we put them into a chest, and have not over looked them as yet ; but we find by the book, that there are no judgments recorded for almost five years. Therefore, we desire the Honorable General Assembly would, in their wisdom, instruct us or some other persons, what further should be done with said papers.

OTHNIEL GORTON,
THOMAS ALDRICH,
Committee.”

Whereas, Ebenezer Jenckes, captain of one of the companies raised by this government, for the last year's campaign, against His Majesty's enemies in North America, died lately, leaving a widow with several children, in low circumstances,—

It is therefore voted and resolved, that Ellis Jenckes, the said Ebenezer's widow, be allowed and paid out of the general treasury the sum of £300, as a gratuity, for the relief of herself and children.

Report of the Committee appointed to audit the accounts of the general treasurer.

What follows, is a report of the committee who signed it:

We report, that we have examined all the tenth bonds accounts and vouchers in the hands of Benjamin Nichols, Esq., keeper of the grand committee's office, that are due at this

time; and find, as his account is now stated, it is well vouched; which account we now present for the consideration of the General Assembly.

The mortgages without bonds, amounting to about £14,000, old tenor, we have not examined, sundry of the mortgages being out in the several counties in the colony, and no returns are come to hand. Mr. Nichols will be always ready to account to the colony whenever called upon.

We further report, that we have received of the said Nichols, £38,595 2s. 8d., old tenor money, part of the tenths; which we have burnt, it appearing to be the balance of said account, as now stated and presented.

THOMAS CRANSTON,

PETER BOURS,

Newport, Aug. 18, 1759.

JAMES SHEFFIELD,

Committee.

To the Honorable General Assembly, now sitting in Kent."

[The total amount of money loaned upon these mortgages and bonds, as exhibited in this account, is £391,295 19s. 4d.]

Both houses being resolved into a grand committee, chose the following officers, to wit:

Mr. Joseph Sherwood, attorney at law, in Austin Fryers, near the Royal Exchange, in London, agent for this colony at the court of Great Britain.

His Honor the Deputy Governor, Daniel Jenckes, Thomas Cranston, Peter Bours, Robert Potter, Nathan Rice, Abraham Smith, Nicholas Gardner and Thomas Greene, Esqs., the committee of war.

Benjamin Sherburn, captain; Henry Sowle, lieutenant; Peter Mumford, cornet; and Isaac Dayton, quarter master, of the first troop of horse, in the county of Newport.

Thomas Church, captain; Aaron Wilbore, lieutenant; Job Almy, son of Samuel, cornet; and Perez Richmond, quarter master, of the second troop of horse, in the county of Newport.

Benjamin Bowen, captain; John Fenner, first lieutenant;

James Hoil, second lieutenant, and Joseph Nash, cornet, of the troop of horse in the county of Providence.

It is voted and resolved, that Peter Bours and Daniel Jenckes, Esqs., together with the attorney general, be, and are hereby, appointed a committee, to prepare some instructions for His Honor the Governor, with regard to commissioning, empowering, and what else is necessary to be done, respecting the agent appointed by this General Assembly, to represent the colony at the court of Great Britain.

It is voted and resolved, that the deputies of the several towns, who were appointed to collect the accounts of charges, brought against the colony, for the soldiers raised in their respective towns, on account of the expedition in August, 1757, to examine the said accounts, and draw orders upon the general treasurer, &c., present their accounts, for the trouble and charges they were at on that occasion, unto their respective town councils; who are hereby directed and empowered to examine the said accounts, and draw orders upon the respective town treasurers for what shall appear to be justly due to the said deputies.

God save the King.

General Amherst to the Governor of Rhode Island.

Camp at Crown Point, 8th August, 1759.

Sir:—On the 27th ultimo, I had the pleasure of communicating to you that the enemy had, on the evening before, abandoned the fort at Ticonderoga; to which, I have now the further satisfaction to add, that they have likewise withdrawn themselves from this place, after having also attempted to blow up the fort, in which they have succeeded only in part; and that I am in possession of the ground ever since the 4th, where I propose building such a strong hold as shall most effectually cover and secure all this country.

The night of my arrival here, I received letters from Sir William Johnson, with the additional good news of the success of His Majesty's arms at Niagara, which surrendered by capitulation, on the 25th, to Sir William, upon whom the command had devolved, by the demise of poor Brig. General Prideaux, killed in the trenches on the night of the 20th; the garrison, consisting of six hundred and seven men, being prisoners of war, and now on their march to New York, together with seventeen officers and one hundred and sixty men more, part of a corps of twelve hundred, assembled at Detroit, Venango and Presque Isle, under the command of

Messrs. Aubry and Delignory, for raising the siege; but Sir William Johnson having intelligence of their approach, provided so properly for their reception, that on the morning of the 24th, when they meant to march straight to the fort, they met with such an opposition as they little expected, being entirely routed, with the loss of all their officers, and a great number of their men killed, whilst the loss on our side is inconsiderable.

This signal success, added to the other advantages, seems an happy presage of the entire reduction of Canada this campaign; or at least of circumscribing the enemy within such narrow bounds, as will ever after deprive them of the power of exercising any more encroachments; on which I hope I shall have the satisfaction of congratulating you, as I now do on these late great events; and am, with great regard, sir, &c., &c.,

JEFF. AMHERST.

To the Honorable Governor Hopkins.

Admiral Durell to the Governor and Company of Rhode Island.

Pass Amelia, off the Isle Madame,

3d September, 1759.

Honorable Gentlemen:—I received the honor of your letter, by Mr. Tripp, with the men you so readily and cheerfully raised for His Majesty's service, upon my application to you.

I take the opportunity of the said gentleman, to return you my hearty and sincere thanks, as well for the men you raised, as for your generous offer in assisting at any time (upon timely notice given you) to raise a greater number, if His Majesty's service should require it, I shall not fail, when I come to England, to represent the cheerfulness with which you acted upon this occasion.

When you draw for the forty shillings bounty money you have disbursed upon this account, you will be pleased to make your draught upon the honorable the commissioners of His Majesty's navy; and if said draught should be objected against, which I don't apprehend will be the case, you will be pleased to direct your correspondent in London, to apply to me, and I will represent it to the right honorable the lords commissioners of the admiralty.

I am, with great regard, &c. &c.,

PHI. DURELL.

To the Governor and Company, of Rhode Island.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday in October, 1759.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, the General Assembly, at the session began and holden at East Greenwich, on Monday, the 20th of August last, chose and appointed Mr. Joseph Sherwood, attorney at law, in Austin Fryers, near the Royal Exchange, in London, to be agent for this colony, at the court of Great Britain; in consequence whereof, His Honor the Governor hath prepared a draught or form of a power of attorney and agency, to authorize him, the said Joseph Sherwood, to appear for, and in the name and behalf of this colony, do, act, transact and finish all and every suit and business at the said court, and before the Parliament, &c. And the said form or draught being exhibited unto this Assembly, read and duly considered,—

It is voted and resolved, that the same be, and hereby is, approved and allowed.

Report of the Committee appointed to sell, at public vendue, the estate of Joseph Munro.

What follows, is a report of the gentlemen who signed the same :

We, the subscribers, being, by the General Assembly, appointed a committee to sell, at public vendue, the real estate of Joseph Munro, who was convicted of counterfeiting the bills of public credit, of this colony, having performed said business, report as follows, viz. :

One piece of salt marsh, was struck off to Nathan Munro, at £9 5s., per annum ; two small lots of improved land, and one

piece of wood land, struck off to Edward Bosworth, at £20, per annum; and have given leases of the same; the rents to be paid to the general treasurer, annually, during the life of the said Joseph Munro.

JOSEPH RUSSEL,
NATH. BOSWORTH.

Whereas, Allin Brown, Esq., sheriff of the county of Providence, preferred a petition, and reported unto this Assembly, that, in obedience to a warrant issued by His Honor the Governor, he impressed several carts to transport the baggage of a number of His Majesty's troops that were passing through this government; for which he hath been sued in the county of Suffolk, by one of the carters, and judgment rendered against him, in favor of the said carter, for debt and costs; whereupon, the said sheriff prayed this Assembly to direct him how to proceed with regard to what has already happened; and also how to conduct himself in case other suits are brought against him on the same account. On consideration whereof,—

It is voted and resolved, that the petitioner be, and he hereby is, directed to pay and discharge the judgment, aforesaid; and also pay the other carters, and making an account thereof, lay the same before this Assembly at their next session.

Whereas, James Honeyman, Nicholas Cooke and John Babcock, Esqs., were, by a vote of this Assembly, constituted a committee to prepare and lay before them an estimate of such sums of money as may be necessary for paying off the troops of this colony, at their return from the campaign, &c.; and the said committee having undertaken and performed the business to them committed, presented what followeth:

Report.

"We, the subscribers, in obedience to the appointment of the vote, aforesaid, have made an estimate of what sums of money may be necessary for the supply of the general treasury, do report as follows, viz.:

For the payment of the troops in the service of the colony, the sum of £194,929, old tenor ; for the payment of the late agent's account, £1,440 ; for the payment of the carriages of the baggage, &c., of the regular troops to Boston, £1,500 ; for the payment of Mr. John Dexter's account, for the bridge, £1,950 ; for the payment of the workmen, &c., at Fort George, £5,000. The whole whereof, amounts to £11,200, lawful money.

J. HONEYMAN,
NICHOLAS COOKE,
J. BABCOCK."

And the said report, being taken into consideration,—

It is voted and resolved, that the same be, and hereby is, accepted ; and the general treasurer is directed not to appropriate any part of the rate or tax of £11,000, lawful money, which is now collecting, to any other use than the payment of the several sums mentioned in the foregoing report.

It is voted and resolved, that Thursday, the 22d of the next month, be observed as a day of public thanksgiving, in and throughout this colony ; and His Honor the Governor is requested to issue a proclamation, accordingly.

It is voted and resolved, that in case His Excellency General Amherst shall write unto this government, and request that the troops of this colony, or any part of them, be retained, His Honor the Governor be, and hereby is, requested to call the General Assembly together immediately, in order to consider of that matter. But in case the general shall be silent on that head, that then His Honor be, and hereby is, requested and empowered to discharge the said troops, both officers and soldiers, as soon as conveniently may be, after their return to this colony ; and that the committee of war pay them off.

It is voted and resolved, that the general treasurer be, and he is hereby, directed to hire a sufficient quantity of gold and silver, at six per cent., (if he can) to discharge his notes,

and redeem such Crown Point bills as are yet outstanding; and also the bonds given for lawful money, omitted in August, which will be due next December.

And whereas, at the session of the General Assembly, begun and holden at Providence, on Monday, the 26th of February last, an act was passed, requesting His Honor the Governor to cause the accounts of billeting, transport hire, &c., for part of the year 1756, and for the whole of 1757, to be made out, and sent by Col. Henry Babcock, to His Excellency General Amherst, for payment; and that the said money, when received, should be lodged in the hands of Mr. Volkert Douw, Jr., the colony's agent; which accounts were sent accordingly; but the general had taken the field. Whereupon, they were remitted unto His Honor the Governor, who has them now in his custody.

It is therefore voted and resolved, that His Honor be, and hereby is, requested, at the rising of this Assembly, to send the said accounts, by express, unto the aforesaid Col. Babcock, and empower him to receive the money due, by said accounts, in specie, and deliver the same unto the general treasurer, to be appropriated to the payment of the gold and silver money debts, due from the colony; and, if it shall so happen that the general is not in cash, that then the said colonel receive bills of exchange for the same (no one of which to exceed the sum £100, sterling,) and deliver them unto the general treasurer; who is hereby empowered to sell them for gold and silver, to the best advantage, first endorsing them, if required. And that, if any money, given by the crown, shall arrive before the next session of this Assembly, the general treasurer receive the same, and appropriate it also to the payment of the said gold and silver money debts.

And it is further voted and resolved, that such part of the act of Assembly as orders the money to be received of General Amherst, to be lodged in the hands of the aforesaid Volkert Douw, Jr., be, and hereby is, repealed.

And further, that no Crown Point bills be redeemed after three months from the rising of this Assembly.

Whereas, Samuel Angell, Esq., who was colonel of the regiment raised by this colony, for the campaign against His Majesty's enemies in North America, in the year 1757, exhibited an account by him charged against the colony, for his table expenses, in consequence of an act made and passed when he was chosen to that office.

Whereupon, a committee of both houses was appointed to audit the said account ; and the gentlemen having undertaken and performed the service to them committed, reported as followeth :

Report.

" We, the subscribers, being appointed to examine the within accounts, have accordingly done the same, and made such deductions from the sundry articles charged therein, as we think just, and do report :

That we are of opinion, that £1,595 18s. of the same, ought to be paid.

J. GARDNER,
GIDEON COMSTOCK,
JOHN JEPSON."

Whereas, the General Assembly, at their session, begun and holden at Providence, on Monday, the 26th of February last, made and passed an act, that lawful interest should be allowed and paid Col. Samuel Angell, out of the general treasury, for the money he advanced to his soldiers upon the colony's account, in the year 1757, when he had the command of the troops by this government raised for that year's campaign, against His Majesty's enemies in North America ; and as nothing further hath been hitherto done in the affair,—

It is voted and resolved, that the committee of war be, and hereby are, directed to settle the said interest, and give an order on the general treasurer for the payment thereof.

God save the King.

Public Acts passed during the year 1759.

[The following public laws, in addition to those printed in these Records, were passed during the year 1759, and will be found (unless previously repealed) in the volume of Public Laws, printed in the year 1767.]

An Act apportioning unto, and upon the several towns, the rate or tax ordered to be assessed and levied upon the inhabitants. (June.)

An Act in addition to an act, passed by the General Assembly at its May session, 1666, entitled "An act to prevent excessive riding in any of the streets or highways in the towns of Newport and Providence." (June.)

An Act granting to Aaron Salisbury an annual pension. (August.)

An Act to prevent horses going at large in the town of Newport, and augmenting the penalty to be incurred by such as let their horses go at large in the town of Providence. (August.)

An Act to prevent bringing the murrain into this colony from North Carolina. (October.)

An Act authorizing Phebe Strengthfield to sell a part of her late husband's real estate. (October.)

General Amherst to the Governor of Rhode Island.

Camp at Crown Point, 22d October, 1757.

Sir:—It being necessary, the better to insure the acquisitions of the campaign in these parts, as well as to penetrate into the heart of Canada, by Lake Champlain, first to take or destroy the four armed vessels which the enemy had upon it, and which gave them a superiority over our boats and batteaux; I accordingly caused vessels to be built for that purpose, which having been finished and arrived here the 11th instant, I set out the very evening of that day with a detachment of the army, and proceeded with the whole in search of the enemy's vessels; three of which, ours came up with, and drove into a bay, where the enemy themselves sunk and ran them on shore; the fate of the fourth is not yet known; but whether or not she be taken or destroyed, we are now not the less masters of the lake; and had the weather permitted, nothing could have prevented the attempt of penetrating into Canada.

But the winds, whilst I was out, have proved so obstinately contrary, and the season already so far advanced, that I have been compelled to return to this place, where I arrived with my detachment, yesterday afternoon.

I am with great regard, sir, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Admiral Colville to the Governor and Company of Rhode Island.

Sirs:—As I am commander in chief of His Majesty's sea forces in North America the nature of my office, as well as my instructions, points out to me the propriety of corresponding with the several governors of His Majesty's colonies on the conti-

ment. Therefore, I make it my present request to Your Excellency, that you will, as early as possible, communicate to me whatever intelligence you may receive, relating to the enemy; and particularly, if any of their ships of war should arrive in your neighborhood, that part of the force under my command may be employed to defeat their purposes.

I must likewise acquaint you, that most of the King's ships with me, are short of complement, and by death and sickness, will be still shorter in the spring. There is no provision made to supply this deficiency from England; because 'tis supposed there, that it can be done from the colonies; and although I am perfectly sensible from former experience, how difficult it is to raise men in America, for the sea service, yet I am under the necessity of applying to Your Excellency for this purpose; because I have no other prospect whereby the strength of the squadron can be kept up.

I am, &c., &c.,

COLVILLE.

Northumberland, at Halifax, Nov. 1, 1759.

To the Governor and Company of Rhode Island.

The Lords Justices to the Governor and Company of Rhode Island.

Whitehall, Nov. 13, 1759.

Gentlemen:—It having pleased Almighty God to give signal success to His Majesty's arms both by sea and land, particularly by the defeat of the French army in Canada, and the taking of Quebec;

And His Majesty having thought fit, in acknowledgement of so great blessings, to appoint a day of public thanksgiving for the same, throughout Great Britain, we hereby enclose you His Majesty's royal proclamation for that purpose; it being His Majesty's pleasure, that the like public thanksgiving should be solemnized in all His Majesty's colonies in America, which are so particularly interested in these happy events. We do hereby signify to you His Majesty's commands that you do as soon as possible, after the receipt hereof, appoint a proper day for that purpose, to be observed throughout the colony under your government, with such solemnities as are suitable to so great an occasion.

We are, &c., &c.,

DUNK HALIFAX,
W. G. HAMILTON,
SOAME JENYNS.

General Amherst to the Governor of Rhode Island.

New York, 13th December, 1759.

Sir:—Having, by this last packet, received the King's entire approbation of the signal zeal and spirit which the officers and soldiers on all occasions manifest for the honor of His Majesty's arms, I am glad, through your channel, to seize the first moment, to inform those of your colony of His Majesty's most gracious commands, not doubting but that by a continuance of their brave and good behaviour (which cannot fail of giving further success to His Majesty's arms,) they will prove deserving of this distinguishing mark of the royal approbation.

And as Col. Babcock, has, throughout the whole campaign, continually manifested his great zeal for the service, and upon all occasions, promoted it to his ut-

most, I should not do him justice were I to omit giving him this public testimony of it, and of begging you to return him my particular thanks for the same.

I come now, sir, to make you the same requisition I did last year, upon my entering on the general command; for although I have not at present, no more than I had then, any particular orders relative to the operations of the ensuing campaign, yet I am certain it must be of infinite service to the public cause, that the colony of Rhode Island should this year, as they did the last, pursue the wise and judicious measure of keeping their forces in pay during the winter, which measure I cannot sufficiently commend, nor too strongly recommend; and I make no doubt but the Assembly, sensible of the saving it must be to the colony, and from their desire of promoting the good of the service, will readily and cheerfully comply, not only with the above request, but will also make immediate provision for completing the regiment, which came very defective into the field this year, owing, I am persuaded, to their having, the last year, disbanded the officers, without which there is no keeping up properly and disciplining any corps.

I would, therefore, recommend it to the most serious consideration of the Assembly, that in the provision they will now make for the maintenance of the complete regiment, they will also include the officers.

I am, with great regard, sir, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Governor Hopkins to General Amherst.

Providence, January 7, 1760.

Sir:—The receipt of your favor of the 13th of December, I acknowledge, and very heartily congratulate you, as well on your safe return from the campaign, as on the very great and signal successes which have attended it; and more so, as His Majesty has been graciously pleased fully to approve that zeal and spirit which his officers and soldiers have shown on every occasion.

Your Excellency's approbation of the conduct and behaviour of Col. Babcock, will be extremely agreeable to the colony, who employed him; and it will be a very sensible pleasure to me, to communicate your very kind message to him.

The General Assembly, of this colony, at their session the last of October, directed me, that when the regiment sent from this colony, should return from the campaign, I should dismiss the officers and soldiers from the service, except I should before or at said time, receive a request from Your Excellency, that they might be further retained. Accordingly, after waiting till the 10th of December, they were then all discharged by proclamation.

The Assembly, by this step, had no design of withholding their further assistance to His Majesty's service, if it should be wanted; therefore I must beg Your Excellency to favor me, as soon as conveniently may be, with such requisitions to this colony, as His Majesty's service may further call for; which, as soon as received, shall be laid before the Assembly; by whom (I am persuaded,) they will be all cheerfully and punctually carried into execution.

With the greatest regard, I am, &c., &c.,

STEP. HOPKINS.

To His Excellency Gen. Amherst.

Governor Hopkins to Col. Babcock.

Providence, January 7, 1760.

Sir:—I congratulate you on your safe return from the campaign. And now you are a little recruited from the fatigues of it, I must desire you to take a journey to Providence, that with your assistance, I may fully complete such of the colony's accounts as are to be sent to General Amherst for his allowance; for without conferring with you, it is not possible for me to know what hath been already paid, and what still remains to be asked for. I hope you will be kind enough to bring with you all such accounts, papers and vouchers as will be needful for the purpose; and among them, the form given you last winter, by General Amherst, and by which, he would have our accounts drawn. The sooner you come here, the sooner I shall give you an opportunity of waiting on the general with these accounts, which I hope will be agreeable; and in the interim, am,—

With great regard, sir,

Your assured friend,

STEP. HOPKINS.

To Col. Henry Babcock.

Secretary Pitt to the Governor and Company of Rhode Island.

Whitehall, 7th January, 1760.

Sir:—His Majesty having nothing so much at heart as to improve the great and important advantages gained, the last campaign, in North America; and not doubting, that all his faithful and brave subjects there, will continue most cheerfully to co-operate with, and second to the utmost, the large expense and extraordinary succors supplied by this kingdom for their preservation and future security, by completing the reduction of all Canada; and His Majesty not judging it expedient to limit the zeal and ardor of any of his provinces, by making a repartition of the force, to be raised by each, respectively, for this most important service; I am commanded to signify to you the King's pleasure, that you do forthwith use your utmost endeavors and influence with the Council and Assembly of your province, to induce them to raise, with all possible despatch, within your government, at least as large a body of men as they did for the last campaign; and even as many more as the numbers of its inhabitants may allow, and forming the same into regiments, as far as shall be found convenient, that you do direct them to hold themselves in readiness, as early as may be, to march to the rendezvous, at Albany, or such other place, as His Majesty's commander in chief, in America, shall appoint, in order to proceed from thence, in conjunction with a body of the King's British forces, and under the supreme command of His Majesty's said commander in chief, in America, so as to be in a situation to begin the operations of the campaign, by the 1st of May, if possible; or as soon after, as shall be any way practicable, by an irruption into Canada, in order to reduce Montreal, and all other posts belonging to the French in those parts, and further to annoy the enemy in such manner, as His Majesty's commander in chief shall, from his knowledge of the countries through which the war is to be carried, and from emergent circumstances, not to be known here, judge to be practicable.

And the better to facilitate this important service, the King is pleased to leave

it to you to issue commissions to such gentlemen of your province, as you shall judge, from their weight and credit with the people, and their zeal for the public service, may be best disposed and able to quicken and effectuate the speedy levying of the greatest number of men; in the disposition of which commissions, I am persuaded you will have nothing in view, but the good of the King's service, and a due subordination of the whole, when joined to His Majesty's commander in chief; and all officers of the provincial forces, as high as colonels, inclusive, are to have rank according to their several respective commissions, agreeably to the regulations contained in His Majesty's warrant of the 30th of December, 1757.

The King is further pleased to furnish all the men, so raised as above, with arms, ammunition and tents, as well as to order provisions to be issued to the same, by His Majesty's commissaries, in the same proportion and manner as is done to the rest of the King's forces. A sufficient train of artillery will also be provided, at His Majesty's expense, for the operations of the campaign; and the ship, that conveys this carries orders for timely providing, at the King's charge, with the utmost diligence, and in an ample manner, boats and vessels necessary for the transportation of the army on this expedition.

The whole, therefore, that His Majesty expects and requires from the several provinces, is, the levying, clothing and pay of the men; and on these heads, also, that no encouragement may be wanting to this great and salutary attempt, the King is further most graciously pleased to permit me to acquaint you, that strong recommendations will be made to Parliament, at their session next year, to grant a proper compensation for such expenses as above, according as the active vigor, and strenuous efforts of the respective provinces shall justly appear to merit.

It is His Majesty's pleasure, that you do, with particular diligence, immediately collect and put into the best condition, all the arms issued last campaign, which can be any ways rendered serviceable, or that can be found within your government in order that the same may be again employed, as far as they will go, in this exigency. I am at the same time to acquaint you, that a reasonable supply of arms will be sent from England, to replace such, as may have been lost, or have become unfit for future service.

I am further to inform you, that similar orders are sent, by this conveyance, to New Hampshire, Massachusetts Bay, Connecticut, New York and New Jersey. The southern governments are also directed to raise men, in the same manner, to be employed in such offensive operations, as the circumstances and situation of the enemy's posts in those parts may point out, which, it is hoped, will oblige them so to divide their attention and forces, as may render the several attempts more easy and successful.

It is unnecessary to add any thing to animate your zeal in the execution of His Majesty's orders on this great occasion, where the future safety and welfare of America, and of your own province in particular, are so nearly concerned; and the King doubts not, from your known fidelity and attachment, that you will employ yourself, with the utmost application and despatch, in this promising and decisive crisis.

I am, etc.,

W. PITT.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the 25th day of February, 1760.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

An Act for raising \$1,200, in order to re-establish the library, lately consumed by fire, in the town of Providence.

Whereas, the proprietors of the aforesaid library preferred a petition, and represented unto this Assembly, that almost all the books and papers of which the said library was composed, were, with their book cases, destroyed, when the court house in said Providence, was burnt; and thereupon prayed for liberty to put forth a lottery sufficient to raise twelve hundred milled dollars, for re-establishing said library.

Upon due consideration whereof, and as the re-establishing of the aforesaid library is of a public nature, tending to promote virtue and the good of mankind,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the proprietors of the late library, called and known by the name of the Providence Library, which was destroyed, as aforesaid, be, and they hereby are, authorized and fully empowered to open and set up a lottery in the town of Providence, consisting of \$12,000; out of which, a deduction of ten per cent. shall be made, for raising the aforesaid sum of \$1,200, to be by the said proprietors applied toward purchasing books for re-establishing the said library, and defraying the charges of the said lottery, which is to consist of six thousand tickets, at \$2 each; whereof, one thousand five hundred and twenty-nine to be fortunate, to wit:

[Here follows the scheme of the lottery. Its directors were Benjamin Cushing and Samuel Nightingale, Esqs., Messrs. Darius Sessions, Baulston Brayton, Job Sweeting and Joseph Turpin.]

Whereas, Jabez Bowen, Job Tripp and James Helme, Esqs., were appointed by this Assembly, at their last session, to inquire what town or towns are, by law, obliged to erect a bridge over Hunt's River, &c.

In conformity whereto, the said Jabez Bowen and James Helme undertook the service, and made a report unto this Assembly, adding an account £39 9s. 4d., charged against the colony, for their time, trouble and expenses; and the premises being taken into consideration,—

It is voted and resolved, that the above mentioned report be not accepted; yet, the sum, aforesaid, shall be paid the said Jabez Bowen and James Helme, out of the general treasury.

And further it is voted and resolved, that the towns of Warwick and East Greenwich erect and maintain at their own cost and charge, a good and substantial abutment for a bridge, on the north side of Hunt's River; that the town of North Kingstown, at their own cost and charge, erect and maintain another good and substantial abutment for a bridge, on the south side of the said river; that the abutments to be so erected, shall be thirty feet assunder; and that the government, at their own proper cost and charge, lay a good substantial wooden bridge over the river, aforesaid, from one of the said abutments to the other.

An Act for raising \$1,000, by a lottery, in order to purchase a certain lot of land in the town of Providence, whereon to erect a court house.

Whereas, the General Assembly hath ordered a court house to be erected in the town of Providence, where a lot of land may be purchased, very commodious and suitable for setting the said court house upon, at the price of \$1,000,—

Be it therefore enacted by this General Assembly, and by

the authority of the same it is enacted, that a lottery of two classes be opened and set forth in the said town of Providence, to raise the sum of \$1,000, for the purpose aforesaid, which shall be drawn as soon as conveniently may be.

[Here follows the scheme of the lottery. The directors were Messrs. Allen Brown, Nicholas Tillinghast, Benjamin Cushing, Darius Sessions, William Smith and David Harris.]

An Act for raising, by way of lottery, the sum of £24,000, in bills of credit, of the old tenor, to be appropriated for the erecting a handsome building, of two stories, in the town of Newport; the lower part to be appropriated for a market house forever; and the upper part to be made and converted into stores, &c.

Whereas, Messrs. Henry Collins, Josias Lyndon and Henry Ward, in behalf of themselves and others, the proprietors of the Long Wharf in the town of Newport, preferred a petition, and represented unto this Assembly, that the said proprietors being sensible of the general benefit that would accrue unto the said town, from a convenient well situated market house; and taking also into consideration the great advantage the poor of the said town would, in an especial manner, reap from a public granary, did, at their meeting, holden on the 20th day of the current month, pass a vote as followeth, to wit:

“That the lot of land in Newport, belonging to the proprietors, being in front, upon Thames street, thirty-eight feet, and extending from said street, westerly, fifty feet, be, and it is hereby, granted to the town of Newport, for erecting thereon a handsome building; the lower part to be appropriated for a market house, forever; and to no other use, whatsoever, unless it shall be found convenient to improve some part of it for a watch house; and that the upper part of said building be made into convenient stores, for dry goods, and let out to the best advantage; and that all the rents thereof, together with all other profits that shall arise on said building, shall be lodged in the town treasury, to be applied to the purchasing grain, as a per-

petual fund, for supplying a public granary, for the use of said town; and that the said building be erected agreeably to a plan that shall be approved of by the proprietors; the cost of which, to be estimated at £24,000, old tenor; and that Messrs. Henry Collins, Josias Lyndon and Henry Ward, be appointed a committee, to present a petition to the General Assembly, for a lottery or lotteries, to raise that sum, and sign the same, in behalf of the proprietors; and also draw and present a scheme to the Assembly, with said petition."

And thereupon, the said Henry Collins, Josias Lyndon and Henry Ward, prayed for liberty to open and set forth a lottery or lotteries, for the uses, aforesaid; and that the directors may be empowered to divide the same into as many classes as they shall think most conducive for the proposed end.

And this Assembly, being desirous to countenance and encourage so laudable a design,—

Do enact, and by the authority vested in them, it is enacted, that the prayer of the petitioners be, and the same is hereby, granted; and the scheme by them presented, with their petition, approved. And that Peter Bours, Thomas Cranston, Josias Lyndon, Esqs.; Messrs. John Wanton, son of Gideon, and Thomas Robinson, Lieut. Col. Job Bennett and Mr. John Dockray, or any five of them, be, and hereby are, constituted directors, to sign the tickets, dispose of the same, draw the lottery, pay off the prizes, etc.

[Here follows the scheme of the lottery.]

An Act for raising one thousand able bodied, effective men, to proceed on an expedition against His Majesty's enemies still remaining in Canada, and supplying the treasury for the necessary charges thereof.

Whereas, this Assembly hath received advice, by a letter, bearing date the 7th day of January last, from the Right Honorable William Pitt, Esq., one of His Majesty's principal secretaries of state, that it is the King's will and pleasure, that the war be still carried on in North America; and that the most

vigorous and extensive efforts be made for the reduction of Montreal and other places in Canada, still remaining in the enemy's possession ; and being truly sensible of His Majesty's gracious intentions therein, and ready to contribute their assistance to the utmost of their power, and co-operate with the other forces, for promoting so important a service,—

They do enact, and by the authority of this General Assembly it is enacted, that one thousand able bodied, effective men, officers included, be forthwith raised in this colony, to be employed in His Majesty's service, until the end of the ensuing campaign, and no longer ; that they be formed into one regiment, over which shall be appointed one colonel, one lieutenant colonel and a major ; and consist of ten companies ; each of which shall be commanded by one captain, two lieutenants and an ensign, excepting three of the said ten companies, which shall be under the immediate command of the three field officers, and have only two lieutenants and one ensign to each ; all of whom, shall be chosen and appointed by this Assembly. Provided, nevertheless, that no officer shall receive his commission, until he shall have enlisted the following number of soldiers, to wit :

Each captain, twenty ; each first lieutenant, fifteen ; each second lieutenant, twelve ; and each ensign, eight.

Yet, notwithstanding the foregoing proviso, if any officer shall make it appear to the Governor and Council, that he hath diligently and honestly done his duty in endeavoring to raise his complement of men, he shall receive his commission, although he may have failed therein.

[The remainder of this act provides for the number of officers, their rank and wages, the wages of the men, the bounty of £9 to be paid to each able bodied man, and the issuing of bills of credit to the amount of £16,000, towards carrying the act into execution.]

It is voted and resolved, that when the sterling money, granted by Parliament, and allotted to this colony, shall arrive

in America, His Honor the Governor receive the same, and giving proper receipts, immediately lodge it in the general treasury, taking the treasurer's receipt therefor; and that the said money be, by the treasurer, applied to the payment of such money, of every kind, as he hath hired of particular persons, for the colony's use; and for redeeming all such treasurer's notes as are outstanding.

Both houses being resolved into a grand committee, chose the following officers to command the regiment by this Assembly ordered to be raised for the ensuing campaign.

Field officers—Christopher Harris, Esq., colonel; John Whiting, Esq., lieutenant colonel; and Thomas Burket, Esq., major.

Captains—Messrs. Samuel Rose, Christopher Hargil, Nathaniel Peck, Thomas Fry, Jr., Giles Russell, Thomas Tew and Joshua Brown.

First lieutenants—Messrs. Tibbits Hopkins, Jeremiah Shaw, Jr., Jonathan Spear, Caleb Tripp, Samuel Stoneman, Thomas Rose, Samuel Watson, of Exeter, Moses Warren, Israel Peck and William Pulling.

Second lieutenants—Messrs. Thomas Collins, Daniel Byrn, Asa Kimbal, William Eldred, George Cornel, son of Clarke; Solomon Roffey, Asa Bowdish, Jeffry Wilcox, Abner West and Mitchel Case.

Ensigns—Messrs. Peleg Slocum, John Manchester, Arthur Fenner, of Cranston, Records Tabor, James Pearse, Tamberlin Campbell, Stukely Stafford, Edward Cross, Othniel Tripp and Thomas Mitchel.

Lieutenant Samuel Stoneman, adjutant.

Mr. Oliver Helme, commissary.

Mr. Thomas Rodman, (son of Clarke Rodman, late of Newport, physician, deceased) surgeon.

And Gideon Comstock, Esq., is added to the committee of war.

It is voted and resolved, that His Honor the Governor be, and hereby is, requested to direct the colony's agent at the court of Great Britain, to apply for the forty shillings per head, for the seamen raised in this colony the last year, and sent to

the fleet up the river of St. Lawrence, agreeably to Admiral Durell's letter.

God save the King.

Queries relating to His Majesty's Plantations on the continent of America.

1. What is the situation of the * * * * * colony under your government, the nature of the country, soil and climate; the latitudes and longitudes of the most considerable places in it, or the neighboring French or Spanish settlements? Have those latitudes and longitudes been settled by good observations, or only by common computations; and from whence are the longitudes computed?
 2. What are the reputed boundaries, and are any parts thereof disputed, what parts, and by whom?
 3. What is the constitution of the government?
 4. What is the trade of the * * * * * colony, the number of seafaring men, with the respective increase, or diminution, within ten years past?
 5. What quantity and sorts of British manufactures do the inhabitants annually take from hence?
 6. What trade has the * * colony under your government with any foreign plantations, or any part of Europe, besides Great Britain? How is that trade carried on? What commodities do the people under your government send to, or receive from foreign plantations?
 7. What methods are there used to prevent illegal trade, and are the same effectual?
 8. What is the natural produce of the country, staple commodities and manufactures, and what value thereof, in sterling money, may you annually export?
 9. What mines are there?
 10. What is the number of inhabitants, whites and blacks?
 11. Are the inhabitants increased or decreased within the last ten years, how much, and for what reasons?
 12. What is the number of the militia?
 13. What forts and places of defence are there within your government, and in what condition?
 14. What number of Indians have you, and how are they inclined?
 15. What is the strength of the neighboring Indians?
 16. What is the strength of your neighboring Europeans, French or Spaniards?
 17. What effect have the French or Spanish settlements on the continent of America, upon His Majesty's plantations, especially on your colony?
 18. What is the revenue arising within your government, and how is it appropriated?
 19. What are the ordinary and extraordinary expenses of your government?
 20. What are the establishments, civil and military within your government, and by what authority do the officers hold their places?
- It is desired that a return be made to these queries every six months, that the board may, from time to time, be apprised of the alterations that may happen in the circumstances of your government.

Governor Hopkins to General Amherst.

Providence, February 12, 1760.

Sir:—On the 7th of January, I wrote in answer to Your Excellency's letter of the 13th of December, and then informed you that the regiment raised by this colony, both officers and soldiers, were discharged by order of the General Assembly, before the receiving of yours. I also then desired you would be pleased to forward such requisitions to this colony as might be necessary, for the ensuing campaign, as soon as your convenience would admit; but have not yet been favored with any directions how you would have the colony conduct themselves in this matter. And, as the General Assembly of this colony will meet on the last Monday in this month, when it will be full time to enter on whatever may be needful to be done with regard to the ensuing campaign, I must beg Your Excellency to favor me with all such requisitions and directions as may be needful for His Majesty's service, to be performed by this colony, that I may have them to lay before the Assembly, at their meeting.

With the greatest regard, I am, &c., &c.,

STEPHEN HOPKINS.

To His Excellency General Amherst.

General Amherst to Governor Hopkins.

New York, February 14, 1760.

Sir:—Yester evening, arrived the Earl of Leicester packet; and by her I am honored with a letter from Mr. Secretary Pitt, of the 11th of December last; and although he does not send me His Majesty's commands for the operations of the ensuing campaign, yet he directs me to make all the necessary preparations for pushing on the war with vigor, as early in the year as the season will permit, and thereby complete the great work so successfully begun, of rendering His Majesty entire master of Canada.

In order, therefore, to enable me to fill these instructions, I must renew to you my most earnest solicitations for your moving your Assembly to make immediate provision for the same, or a greater number if possible, of men, than they did for the last campaign; and to have them in such immediate readiness, that when I inform you of my intentions to take the field, which shall be as early as possible, I may be certain of the motion and junction of all the forces, at the time and places which I shall hereafter acquaint you with; which I shall be able to do more particularly, upon the arrival of Col. Amherst, whom I expect out soon, with the King's ulterior commands for the ensuing operations.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

General Amherst to the Governor of Rhode Island.

New York, 18th February, 1760.

Sir:—In answer to your letter of the 12th instant, received last night, I am to inform you, that if I did not acknowledge the receipt of yours of the 7th of January, till within these few days, it was because I was in daily expectation of His Majesty's commands, which were to decide the requisition I should make of his several provinces and colonies; and as I found that the Rhode Island forces were disbanded, any thing I could have said on that subject, until I was informed of His Majesty's pleasure, would have been on an uncertainty.

I deferred it therefore, till the 14th instant; on the eve of which, I received instructions from Mr. Secretary Pitt, to make the necessary preparations for another campaign; whereupon, I wrote a circular letter to the several Governors, of which the enclosed is a duplicate of that to you, to which I refer you, and beg you will use all your influence to see it complied with.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

General Amherst to the Governor of Rhode Island.

New York, 21st February, 1760.

Sir:—With His Majesty's commands for the reduction of all Canada, received last night, I likewise had the copy of Mr. Secretary Pitt's letter to the northern and southern governors, of the 7th January last, the original of which goes enclosed, and whereby you will see that His Majesty, having nothing so much at heart as to improve the great and important advantages gained the last campaign in North America, and not doubting that all his faithful and brave subjects there, will continue most cheerfully to co-operate with, and second to the utmost, the large expense and extraordinary succors supplied by the kingdom of Great Britain for their preservation and future security, by completing the reduction of all Canada.

And that His Majesty, not judging it expedient to limit the zeal and ardor of any of his provinces, by making a repartition of the force to be raised by each respectively, for this most important service; he (Mr. Secretary Pitt,) was commanded to signify to you the King's pleasure, that you do forthwith use your utmost endeavors and influence with the Council and Assembly of your colony, to induce them to raise with all possible despatch within your government, at least as large a body of men as they did for the last campaign, and even as many more as the number of its inhabitants may allow; and forming the same into regiments, as far as shall be found convenient, that you do direct them to hold themselves in readiness, as early as may be, to march to rendezvous at Albany, or such other place as His Majesty's commander in chief, in America, shall appoint, in order to proceed from thence, in conjunction with a body of the King's British forces, and under the supreme command of His Majesty's said commander in chief, in America, so as to be in a situation to begin the operations of the campaign, by the 1st of May, if possible, or as soon after as shall be any way practicable, by an irruption into Canada, in order to reduce Montreal, and all other posts belonging to the French in those parts;

and further, to annoy the enemy in such manner as His Majesty's commander in chief shall, from his knowledge of the countries through which the war is to be carried, and from emergent circumstances not to be known in England, judge to be practicable.

As the King's directions on the foregoing subject, are so fully stated in the above abstract, I have only to request that you would exert your utmost endeavors to incite and encourage your Assembly to the full and due execution of the King's commands, in a matter so essential to the future welfare and prosperity of the several provinces, and the success of the ensuing decisive, and (it is greatly hoped,) last campaign in North America; which desirable ends cannot be better attained, than by commencing the operations as early as that shall be practicable.

And that nothing may be left undone that it is possible for me to attempt, in the execution of His Majesty's commands, I must be urgent with you to quicken and expedite the levies of your colony, so that they may be assembled at the rendezvous at Albany, by the 10th of April next, at farthest; as the distances from that place to the frontiers are now so much greater than the preceding year, and consequently require a much earlier junction with His Majesty's troops, than it did then.

I have also, in command from His Majesty, to recommend to you the collecting and putting into a proper condition, all the arms which can be any way rendered serviceable, or that can be found within your government, in order that the same may be employed so far as they will go, in this exigency.

As a further reason for which, I refer you to my letter of the 16th of February, 1759, and now offer you the same encouragement I did then, viz. : that for every one of such arms, as any of your men shall bring with them, and that may be spoiled or lost in actual service, I will pay at the rate of twenty-five shillings a firelock.

Magazines of provisions shall also be established in the same manner, and at the same places as last year, to provide for your forces on their march to the rendezvous; officers shall likewise be appointed at those respective places, to pay them the four pences in lieu of provisions, from the days of their several enlistments, to that of their receiving the King's provisions; and the same allowance that was made last year, for the transportation of those troops that shall be hereafter directed to come by water, shall also be made this.

From all these several encouragements, and your known fidelity and attachment to His Majesty, I have no doubt of your exerting yourself to the utmost on this great occasion, where the future safety and welfare of America are so nearly concerned.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1760.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

FREEMEN ADMITTED.

Whereas, all and every of the persons whose names are inserted in the subsequent roll, have taken the oath or affirmation prescribed by the law of this colony against bribery and corruption in choosing public officers, as it appears by proper returns from the respective town clerks,—

It is therefore voted and resolved, that they, and every of them be, and hereby are, admitted freemen of the colony and consequently may give their votes to choose officers, not only for their respective towns, but also in the choice of general officers.

Newport—Robert Lillibridge, Robert Lillibridge, Jr., John Forrester, Caleb Godfrey, Jr., Nathan Bull, Thomas Robinson, Thomas Arnold, William Giles, Alanson Gibbs, James Card, Norbert Wigneron, Jr., Joseph Aborn, Ephraim Smith, Ichabod Potter, William Wanton, son of Joseph Wanton, Esq., Joseph Arnold, Joseph Huntington, David Brayton, Caleb Jeffers, Jeremiah Hall, Samuel Brenton, James Brenton, John Mawdfley, James Weaver, Henry Gardner, Jr., and Gideon Davenport.

Providence—George Rounds, Asa Fisk, Moses Brown, Joshua Spooner, Henry Starling, Samuel Wall, Ezek Eddy, Thomas Hammond, Nathan Arnold, Saunders Pitman, John Sallsbury, Nathaniel Balch, Abraham Hawkins, Arthur Westcott, Benjamin Harding, Benjamin Brown, Barnabas Cary, Ebenezer Thompson, Benjamin Olney, Nathaniel Greene and Thomas Lindsey.

Portsmouth—Joshua Allen, John Sheldon, James Greenman, Earl Westgate and Thomas Cook.

Warwick—Olney Rice, William Keyes and William Colegrove.

Westerly—Jesse Babcock, John Teft, Ebenezer Hall, John Lewis, John Brand, Sylvester Pendleton, John Varse, Ephraim Hiscox, Nathan Hiscox and William Gavit.

New Shoreham—John Mott and Josiah Sheffield.

North Kingstown—Fones Smith, James Smith, Ezekiel Gardner, Jr. and James Congdon, son of Joseph.

South Kingstown—Thomas Smith, Samuel Haszard, Henry Williams, Caleb Chappel, Thomas Steadman, Jr. and Thomas Carpenter, Jr.

East Greenwich—Peleg Weaver, Thomas Spencer, son of Abner, Benjamin Spencer, son of William, and William Soule.

Jamestown—Azariah Tew and Samuel Slocum, Jr.

Smithfield—Daniel Read, Stephen Golthwayte, Jonathan Comstock, Philip Mowrey, Jr., Daniel Matthewson, Luke Arnold and Jacob Wilkinson.

Scituate—John Potter, John Taylor, son of Thomas, Benjamin Carpenter, John Durfee, William Randall, Jeremiah Fisk, John Mowrey, Robert Baxter, Thomas Salisbury, Mason Hulet, Amos Hammond, the third, Samuel Sprague, Abner Wilbur, David Hopkins and John Bennett.

Glocester—Enos Edly, Elijah Hawkins, Hosanna Brown, Jr., Joseph Harris, William Dean, John Grover, Edward Carpenter, Charles Aldrich, Dudley Wade, Samuel Thornton, Paul Wheelock, William Martin, John Barns, Benajah Whipple, Eleazer Bowen, Jacob Walling, John Walling, Jr., John Aginton, Isaac Benson, Edward Inman, Jr., Joseph Barns, Benoni Tucker, Arnold Lewis, Jesse Brown and Thomas Thornton.

Charlestown—Charles Church.

West Greenwich—Robert Haszard, Jonathan Capron, Edward Burlison, Henry Sweet, Oliver Myus, Thomas Matteson, Jeremiah Austin, Ishmael Spink and Robert Hall.

Coventry—Jeremiah Blanchard, William Osborn, Griffin Sweet and John Nichols.

Exeter—Caleb Gardner, Jr., Oliver Colegrove, Job Babcock, Andrew Aldrich, Benoni Albro, Oliver Reynolds, Solomon Sprague, William James, Job Wilcox, Robert Wilcox, Pasko Austin, Jr., Samuel Weight, the third, Caleb Weeden, Ishmael Wilcox, Thomas Mumford, Oliver Reynolds and Jonathan Reynolds.

Middletown—Salisbury Stoddard and Joseph Peckham.

Bristol—Thomas Peck, Grindal Reynolds and Allen Usher.

Tiverton—Jonathan Greenhill, Nathaniel Greenhill and Daniel Dwelly.

Little Compton—Fobes Little, Jr., William Davenport and Joseph Salisbury.

Warren—William Arnold, John Petty, Benjamin Miller, Jr., James Miller, Caleb Child, Samuel Kent, John Adams, Jr. and Elisha Phinney.

Cumberland—Christopher Shippee, Jonathan Nutting, Benjamin Goold, Isaac Kelly, Samuel Blanding, Nathaniel Goold, Daniel Miller, Jr., Ephraim Blanding and Roger Alexanders.

Richmond—John Webb and Thomas Kinyon, Jr.

Cranston—William Knight, Jr., John Sheldon, Philip Potter, Zuriel Waterman, Joseph Baker, Thomas Baker, Stephen Arnold and Jabez Burlingham.

Hopkinton—Benajah Slack, William Bennet, Benjamin Austin, Nathan Tanner, Joshua Whitford, Israel Bromley, Joseph Collins, Simeon Babcock, Oliver Babcock, Jr., John Babcock, Joseph Babcock, Elias Burdick, Sylvanus Maxson and Caleb Ney.

Johnston—William Latham, Samuel Henry, Thomas Gibbs, Israel Carpenter, John Colwell, Jr., Thomas Clements, Abraham Matthewson, Joseph Harris, Jesse Sprague, Daniel Hawkins and Caleb Vincent.

The following officers, declared elected, were duly engaged :

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

| | |
|-----------------------|------------------------|
| Mr. James Honeyman, | Mr. Jonathan Freeborn, |
| Mr. Nicholas Easton, | Mr. Joseph Lippitt, |
| Mr. Jabez Bowen, | Mr. Jonathan Randall, |
| Mr. Nicholas Cooke, | Mr. Francis Willet, |
| Mr. William Richmond, | Mr. Henry Gardner. |

DEPUTIES.

| | |
|-------------------------|-----------------------------|
| <i>Newport.</i> | <i>North Kingstown.</i> |
| Mr. Gideon Wanton, Jr., | Col. Immanuel Northup, |
| Mr. Thomas Cranston, | Capt. Daniel Fones. |
| Mr. Peter Bours, | <i>South Kingstown.</i> |
| Col. Joseph Wanton, | Mr. Rowland Robinson, |
| Capt. Daniel Ayrault, | Lieut. Col. Joseph Haszard. |
| Mr. William Read. | <i>East Greenwich.</i> |
| <i>Providence.</i> | Major John Arnold, |
| Mr. Daniel Jenckes, | Major James Wightman. |
| Capt. Joseph Turpin, | <i>Jamestown.</i> |
| Capt. Isaiah Hawkins, | Mr. John Eldred, |
| Capt. Stephen Rawson. | Mr. John Gardner. |
| <i>Portsmouth.</i> | <i>Smithfield.</i> |
| Mr. John Shearman, Jr. | Mr. Thomas Arnold, |
| Mr. Thomas Brownell, | Capt. Joseph Mowrey. |
| Mr. William Earl, | <i>Scituate.</i> |
| Mr. Restcome Sandford. | Capt. Job Randall, |
| <i>Warwick.</i> | Mr. William West. |
| Capt. Randall Rice, | <i>Glocester.</i> |
| Mr. James Rhodes, | Mr. Richard Steere, |
| Mr. Thomas Wickes, | Mr. Silas Williams. |
| Major Henry Rice. | <i>Charlestown.</i> |
| <i>Westerly.</i> | Col. Christopher Champlin, |
| Mr. Joshua Babcock, | Capt. Robert Potter. |
| Capt. Nathan Babcock. | <i>West Greenwich.</i> |
| <i>New Shoreham.</i> | Mr. Preserved Hall, |
| Capt. Edward Sands. | Mr. Pardon Tillinghast. |

DEPUTIES.

| | |
|-----------------------------|----------------------------|
| <i>Coventry.</i> | <i>Warren.</i> |
| Mr. Caleb Greene, | Major Josiah Humphrey, |
| Lieut. Col. Stephen Potter. | Mr. Ebenezer Cole. |
| <i>Exeter.</i> | <i>Cumberland.</i> |
| Capt. John Reynolds, | Mr. Jeremiah Whipple, |
| Mr. Job Tripp. | Mr. John Dexter. |
| <i>Middletown.</i> | <i>Richmond.</i> |
| Mr. Samuel Baley, | Mr. Samuel Teft, |
| Mr. John Clarke. | Major Richard Bailey. |
| <i>Bristol.</i> | <i>Cranston.</i> |
| Mr. Simon Davis, | Capt. Richard Searle, Jr., |
| Capt. Joseph Reynolds. | Mr. Joseph Harris. |
| <i>Tiverton.</i> | <i>Hopkinton.</i> |
| Mr. Samuel Durfee, | Major Joshua Clarke, |
| Mr. Philip Tabor. | Capt. Edward Wells, Jr. |
| <i>Little Compton.</i> | <i>Johnston.</i> |
| Mr. William Hall, | Mr. Henry Harris, |
| Capt. Benjamin Simmons. | Mr. Richard Fenner. |

Thomas Cranston, Esq., speaker, and Josias Lyndon, Esq., clerk.

Mr. Thomas Ward, secretary.

Mr. Augustus Johnson, attorney general.

Mr. Thomas Richardson, general treasurer.

The Hon. John Gardner, chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. George Gardner. Providence county, Mr. Allen Brown. Kings county, Mr. Beriah Brown. Bristol county, Mr. Nathaniel Bosworth. Kent county, Mr. Stephen Arnold.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Mr. Joseph Wanton, Jr., colonel ; Job Bennett, lieutenant colonel ; and Benjamin Sherburne, major.

Providence county, Mr. John Andrews, colonel ; Barzillai Richmond, lieutenant colonel ; and John Angell, major.

Kings county, Mr. Joseph Haszard, colonel ; Joseph Stanton, lieutenant colonel ; and George Wightman, major.

Bristol county, Mr. Thomas Greene, colonel ; Nathaniel Pearce, lieutenant colonel ; James Humphrey, major.

Kent county, Mr. Benoni Waterman, colonel ; James Arnold, lieutenant colonel ; and James Wightman, major.

COMMITTEE OF WAR.

His Honor the Deputy Governor, Daniel Jenckes, Thomas Cranston, Peter Bours, Joseph Haszard, Nathan Rice, Abraham Smith, Nicholas Gardner and Thomas Greene, Esqs.

Whereas, His Honor the Governor hath laid before this Assembly, a letter from His Excellency the Governor of the Province of the Massachusetts Bay, setting forth the great calamity of the unhappy persons that suffered by the late great fire in the town of Boston, and requesting His Honor to recommend it unto the people of this government, to contribute towards the relief of the aforesaid unhappy sufferers,—

It is therefore voted and resolved, that His Honor the Governor be, and hereby is, requested to issue a proclamation as soon as conveniently may be, and recommend unto every congregation of Christians in this colony, the relieving the above mentioned distressed persons, by way of contribution ; and that whatever shall be collected, be delivered to His Honor the Governor, who is desired to transmit the same unto the select men of the town of Boston.

An Act for printing £10,000, lawful money, to pay off the troops, and get them to Albany ; and the sum of £1,000, of the like money, to carry on the building of the court house in Providence.

Whereas, there was emitted, the 10th day of March last, the sum of £16,000, in bills of credit, called lawful money, for raising, equipping, and paying one thousand able bodied, effective men, to proceed on an expedition against His Majesty's enemies still remaining in North America ; and there is still wanting a large sum to pay off the troops, and get them to Albany, the place of rendezvous ; and whereas, the general treasury is destitute of money, which is absolutely necessary, for the purposes, aforesaid,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that the sum of £10,000, in the bills of credit called lawful money, be forthwith struck off from types.

And be it further enacted, that the sum of £1,000, in the bills of credit called lawful money, be made for the carrying on the building of the court house in the county of Providence, and delivered unto the committee appointed to build the said house ; and that the said sum of £1,000, be printed, signed and sunk in the same manner with the aforesaid £10,000.

Whereas, Henry Wall, of North Kingstown, in the county of Kings county, and colony, aforesaid, and Thomas Haszard, of Newport, in the county of Newport, in the said colony, merchants, preferred a petition, and represented unto this Assembly, that they, at their own costs and charges, equipped a private ship of war, against His Majesty's enemies, under the command of Capt. Abel Michiner ; that the said ship, in her cruise, took a vessel belonging to the subjects of the French king, and brought her into the port of Newport, aforesaid, with eleven men, subjects of the said French king, who are now prisoners of war, in Newport, aforesaid, and supported at the sole expense of the petitioners ; whereupon, they prayed that they might be permitted to fit out and send a vessel with a flag of truce, to carry the aforesaid eleven Frenchmen to the

West Indies, and there deliver them unto the commander in chief of such port or place, as they shall send to.

And the subject matter of the petition, aforesaid, being duly inquired into, and considered,—

Be it enacted by this General Assembly, and by the authority of the same, that the prayer of the said Henry Wall and Thomas Haszard, in their aforesaid petition made, be, and the same is hereby, granted; provided, that they cause so many English prisoners to be brought back unto Newport, as the vessel they send will carry; provided, also, that the vessel to be sent be under the same regulations and restrictions with others going to the colonies, ports or harbors of the enemy, with a flag of truce.

God save the King.

General Amherst to the Governor of Rhode Island.

Albany, 11th May, 1760.

Sir:—I arrived here on the 8th instant, and none of the provincial forces being yet arrived, although the season is so far advanced, and so proper to begin the operations of the campaign; I cannot defer renewing to you, my most pressing instance, that if, upon the receipt hereof, all the troops of your province are not in motion, and on their way hither, (for I will not doubt but most of them are,) that you will immediately, without loss of time, cause them to begin their march, and to proceed hither without delay; as every moment that detains them from this, is a great backwardness to the general service, which at this present time, wants and requires to be improved to the utmost.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To His Excellency Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday, of June, 1760.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, the General Assembly, at their session, begun and holden at South Kingstown, on Monday, the 25th of February last, made and passed "An act for raising \$1,000, by a lottery, in order to purchase a certain lot of land in the town of Providence, whereon to erect a court house;" and whereas, the directors of the said lottery find it extremely difficult to dispose of tickets for dollars, and in all probability, if the lottery should continue in the same circumstances, it will occasion a great delay in the sale of the tickets,—

Be it therefore enacted by this General Assembly, and by the authority of the same, it is enacted, that the directors of the lottery aforesaid, be, and they are hereby, authorized and empowered to dispose of the said tickets at, and after the rate of £9, old tenor; and that the prizes be also reduced to old tenor, at, and after the rate of £6 for each dollar; and that they also express upon every ticket before sale, that the benefit tickets will be paid off in old tenor, at the rate, aforesaid.

In answer to the motion of His Honor the Governor,—

It is voted and resolved, that the committee of war, shall, within six days after the rising of this Assembly, deliver His Honor the exactest and truest account they can, of the bounty and expense paid the seamen, by the colony, furnished unto His Majesty's fleet last year; and also of the number of troops raised by this government for the last campaign, and the expense of levying, paying and clothing them; that the Governor may be enabled to write and inform the agent, and to direct him to make application for an allowance from the crown.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the 18th day of August, 1760.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that £250, old tenor, be allowed and paid out of the general treasury, unto the person that shall bring the money granted by the crown, from the city of New York, to Newport, aforesaid.

It is voted and resolved, that Lieut. Col. Job Bennett and Mr. John Wanton, son of Gideon, be, and they are hereby, appointed a committee, to build the market house, with stores over it, in Newport, for which a lottery was granted in February last; provided, that the same be done without any charge to the colony; and that the said committee be careful not to proceed to the building said house until the directors of the said lottery are fully satisfied that they shall be able to raise money enough to finish the same, and shall give orders accordingly.

Whereas, Thomas Arnold, Esq., exhibited unto this Assembly, an account by him charged against the colony, for sundry journeys by him made into the Province of the Massachusetts Bay, to wit:

Unto the towns of Mendon, Medway, Medfield, Dedham, Bellingham and Wrentham, to search the ancient records of those towns, and taking copies of some of them, in order to prepare a state of the case respecting the boundary line between this colony and the said province; for a journey by him made to Hartford in the colony of Connecticut, to meet with a committee of that government, and for his horse hire and expenses, in the said journeys; and the said account being duly examined,—

It is voted and resolved, that the same be, and hereby is, allowed ; and that £196, the amount thereof, be paid the said Thomas Arnold, Esq., out of the general treasury.

It is voted and resolved, that the general treasurer be, and he is hereby, directed and fully empowered to employ two men to guard his house, at the government's expense, in order to secure the money granted by the crown, unto this colony, not exceeding fourteen nights, after that he shall have received the same ; and that the general treasurer, upon his receiving said money, immediately give public notice thereof, in the Newport Mercury, so that all persons unto whom the colony is indebted, may come in and receive what is due unto them, agreeably to the act of Assembly, made and passed at South Kingstown, on Monday, the 25th of February last.

An Act regulating the general election.

Whereas, it is found, by long experience, that the freemen going to Newport, to put in their votes for general officers, at the election, is very injurious to the interest and public weal of the colony, and occasions a very great loss of peoples' time, at a season of the year when their labor is abundantly necessary for preparing the ground, and planting the seed ; on which the produce of the whole summer must depend ; and as all the ends of voting for general officers may be as fully attained, by the freemens' putting in their proxy votes at the town meeting in their own towns, appointed by law for that purpose, agreeably to the ancient and laudable custom of most of the prudent freemen,—

Therefore, be it enacted by this General Assembly, and by the authority thereof it is enacted, that for the future, every freeman, who is disposed to give his suffrage for the election of general officers in this colony, shall do it by putting in a proxy vote, in the town meeting in the town to which he belongs, on the third Wednesday in April next preceding the general election, agreeably to the law, and well known custom of proxying ; and no freeman shall be permitted to vote for general officers.

at the general election, held at Newport, on the first Wednesday in May, but only such as be members of the Assembly.

And be it further enacted by the authority aforesaid, that no person in this colony, for the future, shall vote and act as a freeman, in any case, whatsoever, but such only, who at the time of voting, shall be truly and really possessed of land or real estate, to be valued and determined agreeably to the former laws, of the full value of £40, lawful money, or that will rent yearly for forty shillings, lawful money, or the eldest son of such a freeman; that every person newly admitted free of any town, shall be admitted to put in his proxy vote for general officers, at the town meeting at his own town; and such of them as shall be admitted freemen of the colony, by the General Assembly, their proxies shall be received and numbered at the general election; and such as shall not be so admitted free by the Assembly, shall be rejected and thrown out.

Both houses being resolved into a grand committee, chose the following officers, to wit:

James Arnold, Jr., Esq., colonel of the regiment of militia, in the county of Kent; James Wightman, Esq., lieutenant colonel; and John Waterman, Esq., major of the same.

It is voted and resolved, that Martin Howard, Jr. and John Grelea, Jr., Esqs., be joined with His Honor the Governor and Augustus Johnston, Esq., in revising the laws of the colony.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday in October, 1760.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, His Honor the Governor presented unto this Assembly, the muster rolls of the regiments raised by this gov-

ernment, for the campaigns of this and the last year, to be laid before His Excellency General Amherst,* to obtain payment of the four pence per day, allowed by the crown,—

It is therefore voted and resolved, that His Honor the Governor be, and he is hereby, requested forthwith to empower Col. Henry Babcock, to wait on the general with the said muster rolls, in order to receive what is due thereon to the colony, in cash, if possible ; but if that be not to be had, then in bills.

Whereas, Mr. George Lawton, keeper of His Majesty's jail in Newport, exhibited unto this Assembly, an account charged by him against the colony, for the board, &c., of Samuel Parcks and Benjamin Hawkins, who were lately executed at said Newport, for piracy, robbery and felony, done and committed upon the high seas ; and the said account being duly examined,—

It is voted and resolved, that the same be, and hereby is, allowed ; and that £43 8s., the amount thereof, be paid the said George Lawton, out of the general treasury.

Whereas, sundry of the regiment, last raised in this colony, for His Majesty's service, did not march out of the government ; and others left the regiment, before its arrival at Albany,—

[* JEFFREY, 1st BARON AMHERST, was born January 29, 1717. In early years, evincing a fondness for the military profession, he entered the army and distinguished himself in several battles. In 1756, he became colonel of the 15th regiment of foot. On the recall of Lord Loudoun, he was appointed by Mr. Pitt to command the expedition to Louisbourg. In 1758, he superceded Gen. Abercromby, as commander in chief of all His Majesty's forces in America. He became major general in 1759, in which year he received the thanks of the House of Commons for his services, accompanied by the sinecure office of governor of Virginia. On the 8th September, 1760, he signed the capitulation of Montreal, and was made governor general of Canada. In 1761, he was raised to the rank of lieutenant general ; and soon after, was created Knight of the Bath, and a member of the privy council. He vigorously opposed the American stamp act, and in consequence, lost his sinecure office as governor of Virginia. He received other civil and military appointments and was in 1796 made a field marshal. He died in 1797, in the eighty-first year of his age.

Gen. Amherst was twice married, but left no issue. He had two brothers, one an admiral of the blue, the other a lieutenant general. A son of the latter, succeeded him, as Baron Amherst, of Montreal. A large number of his letters to the Governors of Rhode Island, are preserved among the public archives of the State. —J. R. B.]

It is therefore voted and resolved, that the committee of war, call upon all such persons to refund what money they received from the colony ; and upon refusal, or neglect of payment, to sue for the same ; and that every person, who at any time deserted from the said regiment, be taken up, and prosecuted according to law.

It is voted and resolved, that Thursday, the 20th day of the next month, be observed as a day of general thanksgiving throughout this colony, for the success of His Majesty's arms, in the reduction of Canada ; and His Honor the Governor, is requested to issue a proclamation, accordingly, and therein forbid all servile labor on the day.

Be it enacted by this General Assembly, and by the authority of the same, it is enacted, that all the officers and soldiers now in the pay of this government, be disbanded by proclamation, to be issued by His Honor the Governor, at the end of fifteen days after they shall have received their discharge from the general, with orders for marching home ; excepting such as shall make it appear to the committee of war, that they have been detained by sickness, or some other unavoidable accident ; and that all the officers and soldiers who have left the regiment, since its arrival at Albany, shall not receive their wages, until they shall produce to the committee of war, proper furloughs, or certificates, from their commanding officers, that they had full liberty for leaving the regiment ; and that the committee of war pay all the wages they shall find to be due to the officers and soldiers, at the time they shall be disbanded ; and that the whole of the tax now collecting and paying into the general treasury, be appropriated to the paying off the officers and soldiers ; and that the money remaining in the treasury, when that shall be completed, be applied to the paying the other charges of the expedition.

It is voted and resolved, that His Honor the Governor be, and hereby is, requested to issue, forthwith, a proclamation, prohibiting the inhabitants of this colony, and all others residing within the same, from trading, or having any commerce with the subjects of the French king, during the continuance

of the present war ; and if any presume to transgress, he or they shall be be punished with the utmost severity.

It is voted and resolved, that His Honor the Governor be, and he hereby is, requested, with the advice and consent of the honorable the upper house, to write an answer to the letter of Mr. Secretary Pitt, and lay a copy thereof before this Assembly, at their next session.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 31st day of December, 1760.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Both houses being resolved into a grand committee, Henry Ward was chosen secretary for the remaining part of the year, in the room of Thomas Ward, Esq., deceased.

Whereas, a number of the soldiers in the service of this colony, did, after the reduction of Montreal, desert or leave the regiment, without liberty, and thereby forfeited their wages ; and whereas, many of the said soldiers, are under age, whose parents and masters were no ways privy to their deserting, and others are very poor, and their families necessitous,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that all the soldiers, who continued in the service until the surrender of Montreal, shall be entitled to wages until the time of their leaving the regiment ; and that they, their parents or masters, respectively, shall be paid the same, upon their producing to some one of the committee of war, a certificate from one of the commissioned officers of the company to which he belonged, of the time of his leaving the camp.

Whereas, the money raising by the two classes of a lottery

granted by the General Assembly, for purchasing a lot of land in Providence, on which to erect the court house, will be insufficient for that purpose,—

It is voted and resolved, that the directors of said lottery, or the major part of them, be, and they are hereby, empowered to set forth a third class of the said lottery, in the same manner, in every respect, with the other classes ; and that if the money which shall be raised thereby, shall be more than sufficient to pay for said lot, the surplusage thereof, after the reasonable charges attending said lottery, are deducted, shall be appropriated towards building said court house.

Whereas, complaint hath been made to this Assembly, that the sutler, who supplied the regiment in the service of this colony, the last campaign, hath charged the officers and soldiers more than the general orders given out from time to time in the camp,—

It is therefore voted and resolved, that the committee of war, when they shall pay the wages of the officers and soldiers, shall inspect the sutler's accounts, and whatever they shall find charged to any officers or soldiers, at a higher rate than the general orders given out for the places where they have, from time to time been, shall be deducted out of his account ; and that whenever any officer or soldier shall require it, the sutler shall be obliged to make oath to the truth of his account.

God save the King.

Public Acts passed during the year 1760.

[The following public laws, in addition to those printed in these Records, were passed during the year 1760, and will be found (unless previously repealed) in the volume of Public Laws, printed in the year 1767.]

An Act augmenting the duties on vessels, for the better support of the light house.
(February.)

An additional Act for the establishing of inferior courts of common pleas. (February.)

An Act for the encouragement of deserters to return to their duty, and to prevent desertion for the future. (February.)

An Act for printing £10,000, lawful money, to pay off the troops, and get them to Albany ; and £1,000, of the like money, to carry on the building of the court house, in Providence. (May.)

An Act to prevent disputes concerning the attachment of goods or lands, in civil cases. (June.)

An Act to prevent the laying vessels to, and lading and unlading wood, or heavy wares or merchandise, on the bridge, over Opponaug river. (June.)

An Act to empower the marshals of the court of vice admiralty, in this colony, to call special courts. (June.)

An Act apportioning unto and upon the several towns in this colony, the rate of tax, lately ordered to be assessed upon the inhabitants of the same. (June.)

[The money raised by this act, amounting to £15,747, was for the purpose of paying off the troops engaged in the Canada expedition.]

An Act augmenting the wages of the town sergeants, and other waiters on the General Assembly, superior and inferior courts. (August.)

An Act to augment the fees of the attorney general. (August.)

An Act for reviving the superior court of judicature, court of assize, &c., in the county of Newport. (August.)

An Act to enable the ministers, church wardens and vestrymen of St. Paul's Church, in North Kingstown, to make disposition of a dwelling house and about fifteen acres of land, situated in said town. (October.)

An Act to empower the directors of lotteries and town treasurers, to call special courts. (December.)

An Act to naturalize James Lucena, formerly of Portugal. (December.)

Secretary Pitt to the Governor and Company of Rhode Island.

Whitehall, 17th December, 1760.

Sir:—His Majesty, having nothing so much at heart, as by the most vigorous prosecution of the war, to reduce the enemy to the necessity of accepting a peace on terms of glory and advantage to His Majesty's crown, and beneficial, in particular, to his subjects in America; and as nothing can so effectually contribute to that great and essential object, as the King's being enabled to employ, as immediately as may be, such part of the regular forces in North America, as may be adequate to some great and important enterprise against the enemy; I am commanded to signify to you the King's pleasure, that in order the better to provide for the full and entire security of His Majesty's dominions in North America, and particularly of the possession of His Majesty's conquests there, during the absence of such part of the regular forces, you do forthwith use your utmost endeavors and influence with the Council and Assembly of your province, to induce them to raise with all possible despatch, within your government, two-thirds of the number of men, they raised for the last campaign; and, forming the same into regiments as far as shall be found convenient, that you do direct them to hold themselves in readiness, and particularly as much earlier than former years as may be, to march to such place or places, in North America, as His Majesty's commander in chief there, shall appoint, in order to be employed there, under the supreme command of His Majesty's said commander in chief, in America, in such manner as he shall judge most conducive for the King's service.

And the better to facilitate this important service, the King is pleased to leave it to you to issue commissions to such gentlemen of your province, as you shall judge, from their weight and credit with the people, and their zeal for the public

service, may be best disposed, and able to quicken and effectuate the speedy levying of the greatest number of men; in the disposition of which commissions, I am persuaded you will have nothing in view but the good of the King's service, and a due subordination of the whole to His Majesty's commander in chief; and all officers of the provincial forces, as high as colonels inclusive, are to have rank according to their several respective commissions, agreeably to the regulations contained in His late Majesty's warrant of the 30th December, 1757, which is renewed by His present Majesty.

The King is further pleased to furnish all the men, so raised as above, with arms, ammunition and tents, as well as to order provisions to be issued to the same, by His Majesty's commissaries, in the same proportion and manner as is done to the rest of the King's forces.

The whole, therefore, that His Majesty expects and requires from the several provinces, is, the levying, clothing and pay of the men; and on these heads also, that no encouragement may be wanting to this great and salutary service, the King is further most graciously pleased to permit me to acquaint you, that strong recommendations will be made to Parliament, in their session next year, to grant a proper compensation for such expenses as above, according as the active vigor and strenuous efforts of the respective provinces shall justly appear to merit.

It is His Majesty's pleasure that you do, with particular diligence, immediately collect, and put into the best condition, all the arms issued last campaign, which can be any ways rendered serviceable, or that can be found within your government, in order that the same may be again employed for His Majesty's service.

I am further to inform you that similar orders are sent, by this conveyance, to Massachusetts Bay, New Hampshire, Connecticut, New York and New Jersey; the southern governments are also directed to raise men in the same manner, to be employed in such offensive operations as the circumstances and situation of the enemy's posts, and the state and disposition of the Indian nations, on that side, may point out and require.

It is unnecessary to add any thing to animate your zeal in the execution of His Majesty's orders in this important conjuncture, which is finally to fix the future safety and welfare of America, and of your own province, in particular; and the King doubts not, from your known fidelity and attachment, that you will employ yourself with the utmost application and despatch, in this promising and decisive crisis.

I am, et.,

W. PITT.

To the Governor and Company, of Rhode Island.

Governor Hopkins to Secretary Pitt.

Rhode Island, December 20th, 1760.

Sir — Your letter of the 23d of August last, complaining of an illegal and pernicious trade carried on by the King's subjects in North America and the West Indies; and also containing His Majesty's commands to the colonies, that they make strict and diligent inquiry into the state of this trade, use every means in their power to discover the persons concerned in it, and bring the offenders to condign punishment; and from time to time transmit to Your Excellency, for the King's information, full and particular accounts of the progress we shall have made in the execution of these His Majesty's command, hath been received by the colo-

ny of Rhode Island. In conformity thereto, I am directed by the General Assembly of said colony, to give you a true account of all that has come to their knowledge, relative to the several matters contained in your letter.

The colony of Rhode Island, though very small, hath always carried on a considerable trade by sea; and on the breaking out of the present war, many of the merchants changed the course of their common trade, into that of privateering; so that there hath been already about fifty privateers fitted out from hence. This, in course, hath brought a large number of French prisoners into the colony, which must have been too great a burthen on it, had they been continued in it during the whole time of the war; and as no other method is known in any of these plantations, in America, of disburthening themselves of French prisoners brought in by privateers, and of procuring the liberty of their own people, in much greater numbers in captivity among the French, but by commissioning of vessels as flags of truce, to go to the French islands to carry the prisoners, and in return bring our own home.

For this purpose, this colony have passed a law, enacting that at any time when there are fifteen or more French prisoners in the colony, if any merchant, or other person, will undertake to carry them to some of the French islands, and bring as many of our own people, prisoners there, home, at his own expense, the Governor shall grant a commission for that purpose.

By the same act, persons of undoubted character were appointed to examine every vessel designed for this service, who, after she is prepared for the voyage, and before the commission is granted, repair on board, where every thing being examined, they make an inventory thereof, signed with their names, and duly sworn to before a magistrate, and certify * * * * particularly that no kind of warlike stores are on board, or more provisions of every kind than are barely sufficient to victual the vessel's crew and prisoners, during the voyage. The certificate so made and attested, is lodged in the secretary's office.

The said act further requires, previous to granting the commission, that the captain who is going the voyage, with two sureties of sufficient estates, become bound to the King in the sum of £1,000, sterling, that he hath not, neither will afterwards take or suffer to come on board of his vessel, any thing whatsoever, except the particulars only, named in the above mentioned certificate; and that he will, in all things during his voyage, conform to, and govern himself, as directed by his commission.

Agreeably to this law, commissions have been granted to about thirty vessels, mostly small sloops, who have gone among the French islands, chiefly Hispaniola, and only two to any part of the continent.

Thus far, and no farther, hath this colony given permission for any intercourse with the French, of either the islands or the continent; and in so doing, did not apprehend they transgressed any law whatsoever. And I think it may safely be affirmed, that no provisions for sale, or any warlike stores have gone from this colony among the French during this war, by any permission or connivance of any authority or officer in it. Such vessels as have been allowed to go those voyages, in the manner before related, have indeed carried lumber, and dry goods of British manufacture, to sell to the French, and in return have brought back some sugars, but mostly molasses.

Yet it must be confessed, that 'tis highly probable that some vessels from this colony, as well as from others, have taken in cargoes under pretence of being

bound to Jamaica, and have regularly cleared out at the custom house, and all other offices, as though really intending for that island; but after their departure, have deviated from the voyage pretended, and have put into some of the French ports in Hispaniola, where the French have admitted them to trade.

This method of illicit trade cannot be known till after the mischief is effected, as 'tis impossible to know beforehand who intend to pursue the voyage agreeably to law, and who design to deviate from it; and if any of those vessels return into this colony with cargoes of French produce, their own safety compels them to secrete their iniquitous practices in such a manner that it may never come to the knowledge of any of the officers of the colony, by whom they are sure to be prosecuted, should they be discovered. But I believe very few, if any of them, have been so successful as to return; for of those illicit traders, as well as others, the King's ships in the West Indies have taken a severe revenge; for on examining those vessels, and finding them liable to confiscation, they have also seized those which have been permitted to make these voyages agreeably to the first above mentioned conditions, and have involved the whole in the same inevitable ruin. This has induced them to take one step further, and to seize all the northern English vessels trading to Monti Christi, a Spanish neutral port, to which it hath always been thought lawful to trade, provided nothing prohibited by law was carried thither; and accordingly vessels have been cleared out for that port, from all the custom houses in North America.

And here permit me, sir, to observe, that as all vessels under the three above mentioned circumstances, have been promiscuously condemned as lawful prizes to the King's ships who have seized them, both at Jamaica and New Providence; and from such decrees of condemnation as concerned those of the first and third denomination, appeals have been taken, and are now depending before the lords commissioners for hearing appeals; in all which cases, the commanders of the King's ships are parties, and have a vast interest depending, they must have been induced to set these matters in a partial and bad light, both against the parties immediately concerned, and the colonies to which they belong, lest they should interest themselves in favor of their own inhabitants.

I am, &c., &c.,

STEPHEN HOPKINS.

To the Right Honorable William Pitt, Esq.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the 23d day of February, 1761.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that the act laying a fine on the members of the house of deputies, for not attending on the Gen-

eral Assembly, of forty shillings, for the first day, and twenty shillings for every day after the first, be, and the same is hereby, repealed, and rendered null and void.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to procure His Majesty's proclamation for establishing all the officers in this colony who were appointed in the reign of the late King George the Second of blessed and glorious memory; and also the order of His Majesty in council, altering the form of prayer in the liturgy, for the royal family, to be printed in the Newport Mercury.*

* The funeral ceremonies for King George the 2d, &c., took place in Newport, on the 19th of January, 1761; an account of which, we here copy from the Newport Mercury, printed at the time.

"Yesterday, by order of authority, His Most Sacred Majesty George the Third, was proclaimed King of Great Britain, &c., amidst the joyful acclamation of several thousands of his most loyal and faithful subjects of the colony of Rhode Island.

To express a just and becoming concern at the death of the best of Kings, His late illustrious Majesty George the Second, of blessed glorious memory, at nine in the morning, the four companies of militia, and the troop of horse, belonging to the town of Newport, met at the court house; from whence they marched in military mourning, to the house of Dr. Edward Ellis, at the lower end of Thames street, where were assembled the magistrate and principal gentlemen of the town. Half after ten, minute guns begun and continued firing from Fort George; and between eleven and twelve, the procession began in the following order:

First, four youngest sergeants marched with their halberds covered with black and reversed; then, the private men, four abreast, with their arms reversed; four drummers, with their drums covered with black; four ensigns, with their colors wrapped in black; four lieutenants; then, four captains, all with their pikes covered with black, and reversed; after them, the field officers, and the high sheriff of the colony, as herald-at-arms; next to him, marched (between two files of the troop of horse,) His Honor the Deputy Governor and the other civil officers, and a considerable number of merchants and gentlemen, many of them in close mourning, who closed the procession; and then, by the time they arrived at the court house, the minute guns, in number seventy-seven, ceased firing; immediately upon which, the high sheriff pronounced with an audible voice, from the court house, the following proclamation, viz.:

'Whereas, it hath pleased Almighty God, to call to his mercy, our late sovereign lord King George the II., of blessed and glorious memory; by whose decease, the imperial crown of Great Britain, France and Ireland, also the supreme dominion and sovereign right of the colony of Rhode Island and Providence Plantations, in New England, and all other His late Majesty's dominion in America, are solely and rightfully come to the high and mighty Prince George, Prince of Wales; we, therefore, the Governor and Company, associated with numbers of the principal

Whereas, James Lucena, (late a subject of the king of Portugal, but now a naturalized citizen,) of Newport, in the county of Newport, merchant, preferred a petition and represented unto this Assembly, that he hath acquired from the king's manufactory in Portugal, the true method of making soap of the same kind and quality as that made in Castile, in Spain, and called Castile soap; that he proposes to set up the manufactory thereof, in this colony; that the procuring one of the chief materials will employ many poor people, and the manufactory be otherwise highly beneficial to the public, by furnishing a great and valuable article of commerce, which may be exported to all parts of the continent, to the West Indies, &c.; and thereupon prayed this Assembly to pass an act, granting him the sole privilege of making and vending the said Castile soap, for the term of ten years from the rising of this Assembly, and prohibit all other persons, whatsoever, from making soap during that term, of the same new materials which he proposes to use, under such penalties as may be sufficient to secure the busi-

inhabitants of this colony and plantation, do now hereby, with one full voice and consent of tongue and heart, publish and proclaim that the High and Mighty Prince George, Prince of Wales, now by the death of our late sovereign, of happy and glorious memory, become our only lawful and rightful sovereign, liege lord George the Third, by the grace of God, King of Great Britain, France and Ireland, Defender of the Faith, supreme lord of the said colony of Rhode Island and Providence Plantations, and all other His late Majesty's territories and dominions in America; to whom we do acknowledge all faith and constant obedience, with all hearty and humble affection; beseeching God, by whom kings and queens do reign, to bless the royal King George the Third, with long and happy years to reign over us. God save the King.'

Upon finishing which, three buzzas were given, the ensigns displayed, three volleys fired from the militia; and the royal military officers, with a great number of gentlemen, repaired to the Council chamber, where the ceremony concluded with drinking the King's, and all the royal healths. The whole was conducted with a decorum becoming the great and solemn occasion.

This day, an excellent sermon was preached on the death of His late Majesty, by the Reverend Mr. Ezra Stiles, to a crowded audience (among which was His Honor the Deputy Governor, with the civil and military officers,) at his meeting house, the pulpit being hung in mourning, from 1 Chron. chap. 29: ver. 26, 27, 28. 'Thus David, the son of Jesse, reigned over all Israel thirty-three years reigned he in Jerusalem. And he died in a good old age, full of days, riches and honor.'

ness of the petitioner ; and the said James Lucena further represented, that he did not mean thereby to exclude others from making any kind of soap now usually made in this colony, but only such as might, from his example, be induced to make it with his new materials, which were never used in this colony ; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the prayer of the said James Lucena be, and the same is hereby, granted, upon condition that he proceed upon the manufactory, aforesaid, within two years from the rising of this Assembly ; and that at the end or expiration of the above mentioned term of ten years, he discover the secret or mystery of the said business or manufacture, to the General Assembly of this colony, or to such person or persons as shall be by them appointed to receive the same, upon the penalty of £1,000, sterling..

And be it further enacted by the authority aforesaid, that no other person or persons, whatsoever, within this colony, shall presume to set up or follow the said business during the aforesaid term of ten years, upon the penalty of £1,000, sterling.

Whereas, a number of the inhabitants of the town of Newport, preferred a petition, and represented unto this Assembly, that the lower end of Thames street, in said town, being very muddy and miry, renders it extremely inconvenient to carry on business there ; that the paving thereof, will be attended with considerable advantages to all persons who are obliged frequently to pass and re-pass in that part of the town, and to the inhabitants in general ; and thereupon prayed this Assembly for liberty to open and set forth a lottery, consisting of two classes, each of which to be in every respect similar to a scheme with the said petition presented, with such regulations and securities as should be thought proper, in order to raise the sum of £6,000 ; and that the persons who may be appointed directors, be empowered and required to apply the same to the paving the lower end of said street, beginning at the house of Abraham Redwood, Esq., and continuing the same, until the whole of the said money shall be expended,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that the prayer of the petitioners be, and the same is hereby, granted.

[The directors of this lottery were Messrs. Evan Malbone, Benjamin Wickham, Philip Wilkinson, Isaac Stelle, John Malbone, Samuel Freebody, Benjamin Greene and Edward Thurston, Jr.]

Whereas, several of the inhabitants of the town of Providence, preferred a petition, and represented unto this Assembly, that the streets of the said town are so bad that at some seasons of the year it is almost impracticable to pass; that this inconvenience is rendered still greater, by the great number of carts and other carriages coming into the said town; that the said streets, from the nature and situation of the ground, can never be made good and passable, unless they be paved; and therefore they prayed that a lottery or lotteries may be granted for raising such a sum of money as shall be sufficient for paving the said streets, or at least such parts thereof, as shall be judged more immediately necessary; and the said petitioners proposed that the following method be observed in carrying on said pavement, to wit:

First. To begin and pave from the bridge, up town, as far as the nett proceeds of the first class will carry it.

Secondly. To pave from the bridge down town, as far as the nett proceeds of the second class will carry it.

Thirdly. To pave from the bridge, westward, over Weybosset Neck, as far as the nett proceeds of the third class will carry it; and so to continue till all parts be done to general satisfaction in the town.

All which, being duly considered,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the prayer of the petitioners be, and the same is hereby, granted; and that a lottery, consisting of three classes, be set forth, agreeably thereto, for raising the sum of £6,000, to be applied towards paving the streets in the said town of Providence, according to the aforesaid method, under the direction of Nicholas Cooke, Esq.,

Messrs. John Brown, Knight Dexter, Joseph Bennett, Joseph Bucklin and George Jackson; and that they give sufficient bond for the faithful performance of the trust reposed in them.

It is voted and resolved, that the sum of £15,000, old tenor, be paid out of the general treasury, to the committee appointed to build the colony house, in Providence; but that before the said money be paid, the deed that is to be made to the colony, of the lot whereon said house standeth, shall be duly executed, the dower relinquished, the said deed recorded and deposited in the secretary's office; and that the said committee shall receive the said sum in old tenor, or in lawful money, only.

And it is further voted and resolved, that Philip Greene and Elisha Brown, Esqs., and Capt. Benjamin Greene, be, and they are hereby, appointed a committee, to inspect said building and estimate what sum of money it will require to complete the same, and make report to this Assembly, at the next session; and that no more money be expended upon, nor materials bought for the said house, more than shall be necessary to shingle and glaze the same, until the said committee shall make their report.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that for the future, if any person who shall remove from one town and settle in another, and produce a certificate from the town clerk of the town from whence he removed, that he was a freeholder in the said town, and had taken the freeman's oath, he shall be entitled to all the privileges of a freeman of the town into which he shall remove; provided, he possess a freehold estate in the said town, sufficient to qualify him to be a freeman. And that if any dispute shall arise, concerning his estate, the three persons appointed by law in said town, shall determine the same.

And be it further enacted by the authority aforesaid, that for the future, the eldest son of a freeholder, who is a freeman, shall be admitted free, without being propounded three months.

Whereas, Benjamin Hunt, of Providence, exhibited to this Assembly, an account by him charged against the colony, for

the use made of his house, at several sessions of the General Assembly, by the honorable the upper house, who sat there in council,—

It is thereupon voted and resolved, that Jabez Bowen and Nicholas Cooke, Esqs., be, and they are hereby, appointed a committee, to examine and settle the said account; and that whatever they shall allow thereof, be paid the said Benjamin Hunt, out of the general treasury.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to complete the billeting rolls for the regiment raised by this colony in the year 1757, and send them, as soon as may be, to the general, at New York, in order for payment; and to empower Mr. Gerard G. Beekman, of New York, merchant, to receive what is due on the said rolls, for the use of the colony, and send the same to the general treasurer:

An Act for raising by way of lottery, the sum of £20,000, in bills of credit, of the old tenor, to be appropriated for the turning one branch of the river called Pawcatuck River, into the large pond in Charlestown.

Whereas, Thomas Ninegret, Christopher Champlin and others, inhabitants of the county of Kings county, preferred a petition, and represented unto this Assembly, that the inhabitants living in several of the towns, in the southern parts of this colony, are put to great trouble and expense in transporting to market the produce of their farms, by land, and bringing from market things necessary for their families; and whereas, there is in the town of Charlestown, a large pond, which may be made a good harbor for small vessels, and would be of great utility and advantage to the inhabitants, provided the communication of said pond with the sea could be kept open, which now is often interrupted; and whereas, the said petitioners are well advised that the turning of one branch of a river, called Pawcatuck River, into the said pond, would effectually keep open the said communication, so that small vessels at all times could

with ease and conveniency pass from and into said pond, would not only answer the ends and purposes, aforesaid, but would be of great advantage to the inhabitants, in carrying on the cod-fishery, &c.

[Here follows the act and scheme of the lottery. The directors named in the act, were Robert Potter, Gideon Hoxsey, John Champlin, Joseph Hoxsey, John Congdon and Samuel Burdick, Jr.]

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 30th day of March, 1761.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, there hath been a great deficiency in the return of the arms and accoutrements which are delivered to the regiment by this colony, the last campaign, and it is uncertain who are accountable for the same,—

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write to His Excellency General Amherst, and desire him to order a copy of all the receipts given for arms delivered to the Rhode Island regiment, during the last campaign, to be made out and sent to this colony; and that His Honor the Governor, be also requested to transmit such depositions as shall be taken upon oath, by Col. John Whiting, of the loss of twelve arms, by the oversetting of a whale-boat in Lake Champlain; and inquire whether the colony hath been credited for the same.

Whereas, a number of the inhabitants of the town of Providence, hath preferred a petition, and represented unto this Assembly, that one of the highways, in said town, is shut up, and appropriated as part of the jail yard, which they conceived

to be injurious to the town, and thereupon prayed that the same may be opened. On consideration whereof,—

It is voted and resolved, that the clerk of the town of Providence and Mr. Nicholas Tillinghast, be, and they are hereby, appointed a committee to examine into the subject matter of said petition, and make report unto this Assembly, at the next session.

An Act for raising and paying six hundred and sixty-six able bodied, effective men, to be employed in His Majesty's service, in North America, in the ensuing campaign, and for supplying the treasury with a sufficient sum of money to defray the necessary charges thereof.

Whereas, this Assembly hath received advice from the Right Honorable William Pitt, Esq., one of His Majesty's principal secretaries of state, (by a letter bearing date the 17th day of December last), that His Majesty hath nothing so much at heart, as by the most vigorous prosecution of the war, to reduce the enemy to the necessity of accepting a peace on terms of glory and advantage to His Majesty's crown, and beneficial, in particular, to His Majesty's subjects in America; that it is the King's pleasure, in order the better to provide for the full and entire security of His Majesty's dominions in North America, and particularly the possession of His Majesty's conquests there, that this colony raise two-thirds of the number of men they raised last campaign, with all possible despatch, to march to such place or places as His Majesty's commander in chief shall appoint; and this Assembly being truly sensible of His Majesty's most gracious intentions, and willing to give all the assistance in their power for the effecting so important a design,—

Do enact, and by the authority of this Assembly it is enacted, that six hundred and sixty-six able bodied, effective men, officers included, be forthwith raised in this colony, to be employed in His Majesty's service in such manner, as His Majesty's commander in chief in North America, shall think

fit, until the first day of November next, unless the campaign shall be sooner ended ; that they be formed into a regiment, consisting of seven companies, over which, shall be appointed a colonel, a lieutenant colonel, and a major ; that one captain, two lieutenants, and an ensign, shall be appointed to each of the said companies, excepting three, which shall be under the immediate command of the three field officers, and have only two lieutenants and one ensign to each ; all of whom shall be chosen and appointed by this Assembly ; provided, nevertheless, that no officer shall receive his commission until he shall have enlisted the following number of soldiers, to wit :

Each field officer, twenty-five ; each captain, twenty ; each first lieutenant, fifteen ; each second lieutenant, twelve ; and each ensign, eight.

And be it further enacted by the authority aforesaid, that the officers of the said regiment, shall be entitled to, and receive the following monthly wages and allowances in bills of credit of this colony, called lawful money, and no other, to wit :

The colonel, £15 ; the lieutenant colonel, £12 13s. 6d. ; the major, £10 13s. ; each captain, £8 12s. 6d. ; the captain-lieutenant, of the colonel's company, £7 13s. 6d. ; each other lieutenant, £6 13s. 6d. ; each ensign, £4 14s. ; each sergeant and drummer, £2 10s. ; and each corporal, £2 5s. ; and that six shillings be allowed and paid to every officer, for each able bodied, effective man he shall enlist.

And for the encouragement of soldiers to enlist,—

Be it further enacted by the authority aforesaid, that every able bodied, effective man, who shall enlist into this service, shall be paid £5 lawful money, upon his enlistment, as a bounty ; and shall receive one good blanket, and one knapsack ; and shall be provided with billeting, at the rate of eight shillings, lawful money, per week, from the time of his enlistment, until he shall leave the colony ; and shall receive £2, lawful money, per month ; and further, his person, estate and bail (if any he hath), shall, during his continuance in the service, be exempted from all arrests and executions ; and he shall be re-

leased from confinement for any debt not exceeding £20, lawful money, due to one person.

And be it further enacted by the authority aforesaid, that each officer and soldier shall be paid his billeting money, until the time that he shall receive orders to leave the colony, and one month's wages, only.

And for supplying the treasury with a sum of money sufficient to carry this act into execution,—

Be it further enacted by the authority aforesaid, that the general treasurer be, and he is hereby, empowered and directed immediately to hire, upon the credit of the colony, the sum of £5,000, of any of the lawful money emitted in the year 1759, and 1760, for nine months, if the same can be procured, at the rate of seven per cent. per annum, excepting the lawful money, emitted in June, 1759; and that the general treasurer also be, and he is hereby, empowered and directed to hire, at the same rate, and of the same emissions, any further sums that shall be necessary, for the purposes, aforesaid, not exceeding £8,000, in lawful money, in the whole.

And be it further enacted by the authority aforesaid, that the sum of £16,000, lawful money, be raised by a tax, to be assessed and levied upon the inhabitants of this colony, and collected and paid into the general treasury, on or before the last day of November next; that the same be appropriated for the payment of the officers and soldiers to be raised, as aforesaid, upon their return at the end of the campaign; and for discharging such bonds as shall be given by the treasurer, for the money to be hired, as aforesaid, when they shall become due.

And be it further enacted by the authority aforesaid, that if the general treasurer shall not be able to hire, upon the terms above mentioned, the said sum of £5,000, lawful money, on or before the 12th day of this instant April, then, and in that case, the sum of £8,000, lawful money, be forthwith emitted and put into the general treasury; and the committee, by this act appointed to sign the said bills, are hereby empowered and directed to procure the said sum of £8,000, lawful money, to be printed from types, in the following form, to wit:

The possessor of this bill shall be paid by the treasurer of the colony of Rhode Island, thirty shillings, lawful money, at the rate of six shillings and nine pence, for one ounce of silver, with interest at five per cent. per annum, on or before the 20th day of April, 1766. By order of the General Assembly. Dated the 20th day of April, 1761.

And that the said bills be of the denomination of 30s., 20s., 10s., 5s., 2s., 1s., 9d. and 6d.; that an equal number of each denomination be emitted; that they be signed by any three of the following persons, to wit:

Benjamin Nichols, Jeremiah Lippitt, Walter Cranston, Joseph Clarke, James Sheffield, Jonathan Easton, of Newport and John Dexter, of Cumberland; who hereby are appointed to sign said bills, and when finished, are directed to lodge them in the general treasury; and that the lawful money emitted by this act, shall be received by the officers and soldiers, in all payments for bounties and wages.

And for the calling in and redeeming said bills,—

It is further enacted by the authority aforesaid, that a rate or rates be assessed and levied upon the inhabitants of this colony, in such season that the whole may be collected and paid into the general treasury, so as to redeem the said bills, with the interest which shall be due thereon, before or upon the 20th day of April, 1766; that the whole of the said rate or rates to be made for that purpose, shall be levied in the same bills now ordered to be emitted; or in silver, at the rate of six shillings and nine pence per ounce; or in gold, at a proportionate value; and that the gold and silver so paid into the general treasury, be appropriated and immediately applied for the redemption of the bills to be emitted by this act.

And be it further enacted by the authority aforesaid, that whoever shall discourage any person from enlisting into the regiment now ordered to be raised, and be convicted thereof, before any justice of the peace in the county where the offence shall be committed, shall forfeit and pay, as a fine, the sum of £5, lawful money, or suffer thirty days imprisonment; that

whoever shall secrete, conceal or carry off any soldier enlisted as aforesaid, shall suffer all the pains and penalties to be inflicted on such offenders, according to the laws of this colony, in those cases heretofore made and provided.

And further, that whoever shall enlist, or persuade, or entice any person, whatsoever, belonging to this colony, to enlist into the service of any of the neighboring governments, or colony of New York, for the ensuing campaign, or shall be any ways aiding or assisting therein, and be convicted thereof, before any court of general sessions of the peace in this colony, shall be fined £20, lawful money; and the justices of the peace in this colony, are hereby required to apprehend and imprison, or bind over to the then next court of general sessions of the peace, in the county where the offence shall be committed, all such persons as shall be found breaking this law, (His Majesty's regular troops excepted); and that one half of all the above mentioned fines be lodged in the general treasury, for the use of the colony; and the other half, to be paid to the person or persons who shall inform and sue for the same.

And be it further enacted by the authority aforesaid, that the wages of all persons under the age of twenty-one years, who shall enlist into this service, from the time of their enlistment, until their discharge, shall be equally divided between them and their parents or masters, respectively; and that such soldiers shall be accountable for whatever they shall take up of the colony, during the time of their being in the service.

And that the officers and soldiers may be better supplied during the continuance of the ensuing campaign,—

Be it further enacted by the authority aforesaid, that the colonel, if present, and in his absence, the next commanding officer, be, and he is hereby empowered, to contract with any person he shall think best, upon the most advantageous terms he can, to supply the soldiers with all such necessaries as shall not be furnished by the colony; that he settle the price of said goods in the lawful money of this colony, and give the soldiers notice of the same, from time to time; that the soldiers

be allowed to take up any sort of goods, to the amount of ten shillings, lawful money, per month, while they are in the camp, and no more; and that the same shall be deducted out of their wages, at their discharge, or the making up the muster rolls of the companies to which they respectively belong; that each captain, if present, and in his absence, the next officer in command, be, and he is hereby, required to keep and render at his return, a particular account of the goods so received by the soldiers under his command, to such of the committee of war who fitted them out; always taking care that the soldiers under his command, have justice done them.

And be it further enacted by the authority aforesaid, that each commissioned officer shall be accountable for all the King's arms and accoutrements which shall be delivered to the soldiers under his command; and that the value of all the arms and accoutrements which shall be wanting at the end of the ensuing campaign, shall be deducted out of the wages of the officer who received the same, unless he can make it appear that such arms and accoutrements were unavoidably lost in the service, or can render some other good reason why he should not be accountable for such as shall be wanting, as aforesaid.

And be it further enacted by the authority aforesaid, that the colonel of said regiment be, and he is hereby, directed not to draw upon the colony's agent for the wages of any officer or soldier, or upon any other account, whatever, unless for money to defray such necessary charges as cannot be drawn for in the lawful money of this colony.

And be it further enacted by the authority aforesaid, that every soldier who shall enlist for the ensuing campaign, shall sign an enlistment in the following form, to wit:

" I, ———, do hereby acknowledge to have voluntarily enlisted myself into His Majesty's service, in the regiment raising by the colony of Rhode Island, commanded by Colonel ———, from the day of the date hereof, until the 1st day of November next, na-

*less sooner lawfully discharged ; and that I have received from
———, by whom I am enlisted, £5, lawful money, as
bounty. Witness my hand, the ——— day of ———, 1761."*

And be it further enacted by the authority aforesaid, that His Honor the Governor be, and he is hereby, requested to issue a proclamation agreeably to this act ; and to give orders to the regiment, or any part thereof, to proceed according to the directions he shall receive from His Excellency General Amherst.

And be it further enacted by the authority aforesaid, that the general treasurer deliver unto the committee of war, the monies which shall be lodged in the general treasury, in consequence of this act, or so much thereof, as they may have occasion of, for the purposes and uses, aforesaid ; and that the committee of war have the same power and authority in all respects for carrying this act into execution, as they have at any time had, by the laws heretofore made ; excepting the appointment of officers, for which the charter hath already prescribed a method.

Protest.

We, the subscribers, dissent from the vote of this house, for concurring with the upper house, for hiring the sum of £5,000, lawful money, to be paid in nine months, in the same bills, for the reasons following :

First. Because, we are of opinion that the paying in the very same bills which are hired, will be a great damage to the colony ; as the bills will be probably hoarded up, and then the government must pay in silver or gold.

Secondly. Because seven per cent. is an unlawful interest, and more than judgments of court are made up for, in this colony.

Thirdly. Because, we are of opinion that the paying of a rate of £16,000, lawful money, in nine months, will very much distress the inhabitants of the colony in general, and the poor in particular.

Fourthly. We are of opinion, that the striking of said sum, agreeably to the vote of the lower house, would have been less expensive and more advantageous to the government in general.

BENJAMIN GARDNER, NATHAN BABCOCK,
ROBERT POTTER, STEPHEN POTTER.

Both houses being resolved into a grand committee, chose the following officers to command the regiment by this Assembly ordered to be raised for the ensuing campaign.

Field officers—John Whiting, Esq., colonel; Samuel Rose, lieutenant colonel; Christopher Hargill, Esq., major.

Captain—Asa Kimball, Nathan Peck, Tibbits Hopkins, Giles Russel and Thomas Fry.

First Lieutenants—William Eldred, Jonathan Speare, William Pulling, Thomas Rose, Asa Bowdish and George Cornel, son of Clark.

Second Lieutenants—Andrew Boid, Moses Warren, Samuel Stoneman, Arthur Fenner, Abraham Hawkins, Hezekiah Saunders and Peleg Slocum.

Ensigns—Israel Peck, Mitchel Case, Edward Cross, William Prior, Comfort Carpenter, Joseph Brownell and Elias Burdick.

Lieut. Samuel Stoneman, adjutant of the regiment.

God save the King.

General Amherst to the Governor of Rhode Island.

New York, 26th April, 1761.

Sir:—I had, the 24th instant, the favor of receiving your letter of the 20th; wherein I see, with great pleasure, that your Assembly, immediately upon the consideration of His Majesty's requisition, had come to a resolution to raise for the ensuing campaign, six hundred and sixty-six men, being the number called for; and that the necessary provision was immediately made for their being raised; and furnishing the said levies with necessaries as in the last campaign.

It adds greatly to the satisfaction that I have received, in finding your Assembly so readily acquiesced in His Majesty's requisition, that you at the same time informed me, many of the soldiers are already enlisted, and will in a few days be ready to move forward in such manner, and to such places as I shall think fit to order.

As I intend they shall go to the rendezvous at Albany, in the same manner as they did last year, I must request of you, that you will instantly, on the receipt of

this, order as many small vessels to be hired as will be sufficient to transport the regiment to Albany; that you will cause the same to be victualed for the passage of your troops; and that you will order them to embark with the most speedy despatch, and sail with the first fair wind to their destination.

The commanding officer must, as last year, produce the certificates of the several enlistments of the men, by which they will be entitled to the fourpences in lieu of provisions from the time they were attested, to that of their receiving provisions from the King's magazine; and the same allowance shall be made for the passage of each man to Albany, as was paid last year.

It gives me some concern, that your colony should be dissatisfied with any articles in the accounts which have been settled between Col. Robertson and Col. Babcock; or that they should have any reason to complain of any stoppages made by Mr. Kilby; I shall acquaint Mr. Kilby of what you say to me on this head, as likewise Col. Robertson; and you may be assured, if any receipts for arms that have been delivered in, are sent to me, which are proper vouchers, and it appears stoppages have been made for those arms, those stoppages shall be immediately paid.

The stoppages that were made, could only be in default of proper receipts being delivered in for the arms that were not forthcoming; there was a general order for it; it was the same to all the provincial troops; and it was entirely the fault of the officers, for suffering these stoppages to be made, if they had the receipts and would not produce them.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1761.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

The following officers, declared elected, were duly engaged:

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

Mr. James Honeyman,

Mr. Joseph Lippitt,

Mr. Nicholas Easton,

Mr. Joseph Harris,

Mr. Jabez Bowen,

Mr. Francis Willet,

Mr. Nicholas Cooke,

Mr. Henry Gardner,

Mr. Jonathan Freeborn,

Mr. Thomas Church.

DEPUTIES.

Newport.

Mr. Gideon Wanton, Jr.,
 Mr. Thomas Cranston,
 Mr. Peter Bours,
 Col. Joseph Wanton,
 Capt. Daniel Ayrault,
 Mr. William Read.

Providence.

Mr. Daniel Jenckes,
 Mr. Samuel Chace,
 Capt. Charles Olney,
 Mr. George Jackson.

Portsmouth.

Mr. John Shearman, Jr.
 Mr. David Anthony,
 Mr. Oliver Earl,
 Mr. George Brownell.

Warwick.

Mr. Philip Greene,
 Col. Stephen Low,
 Mr. Othniel Gorton,
 Capt. Randall Rice.

Westerly.

Capt. George Stillman,
 Capt. Nathan Babcock.

New Shoreham.

Mr. John Pain,
 Mr. Ray Sands.

North Kingstown.

Mr. William Hall.

South Kingstown.

Mr. William Potter,
 Mr. Hezekiah Babcock.

East Greenwich.

Mr. Giles Pierce,
 Capt. Benjamin Greene.

Jamestown.

Mr. Thomas Carr,
 Mr. William Haszard.

Smithfield.

Mr. Baulston Brayton,
 Capt. Joseph Mowrey.

Scituate.

Capt. Job Randall,
 Mr. William West.

Glocester.

Mr. Richard Steere,
 Capt. Timothy Wilmarth.

Charlestown.

Col. Christopher Champlin,
 Capt. Robert Potter.

West Greenwich.

Mr. Benjamin Gardner,
 Mr. Benjamin Tillinghast.

Coventry.

Mr. Isaac Greene,
 Lieut. Col. Stephen Potter.

Exeter.

Capt. John Reynolds,
 Mr. John Chapman.

Middletown.

Mr. James Barker, Jr.,
 Mr. Jonathan Easton.

Bristol.

Capt. Simeon Potter,
 Mr. William Bradford.

Tiverton.

Mr. Thomas Anthony,
 Mr. Job Durfee.

Little Compton.

Mr. William Hall,
 Capt. Thomas Brownell.

DEPUTIES.

Warren.

Mr. John Kinnicut,
Major Josiah Humphrey.

Cumberland.

Mr. Jeremiah Whipple,
Mr. John Dexter.

Richmond.

Major Richard Bailey,
Capt. Benjamin Barber.

Cranston.

Capt. Richard Searle,
Capt. Matthew Manchester.

Hopkinton.

Major Joshua Clarke,
Capt. Edward Wells, Jr.

Johnston.

Mr. Thomas Owen,
Capt. Josiah Thornton.

Thomas Cranston, Esq., speaker, and Josias Lyndon, Esq., clerk.

Mr. Henry Ward, secretary.

Mr. Augustus Johnson, attorney general.

Mr. Joseph Clarke, general treasurer.

Samuel Ward, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Jos. Wanton, son of Gideon. Providence county, Mr. Elisha Brown. Kings county, Mr. Gideon Hoxie. Bristol county, Mr. Charles Church. Kent county, Mr. Rufus Spencer.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Mr. Job Bennett, Jr., colonel; Mr. Isaac Stelle, lieutenant colonel; Mr. Benjamin Sherburne, major.

Providence county, Mr. Benjamin Bowen, colonel; Mr. Josiah Thornton, lieutenant colonel; Mr. Joseph Olney, major.

Kings county, Mr. Nathan Babcock, colonel; Mr. George Wightman, Jr., lieutenant colonel; Mr. John Willson, major.

Bristol county, Mr. Nathan Miller, colonel; Mr. Shearjashub Bourn, lieutenant colonel; Mr. Nathaniel Carey, major.

Kent county, Mr. James Wightman, colonel; Mr. John Wells, lieutenant colonel; Mr. Preserved Peirce, major.

COMMITTEE OF WAR.

John Jepson, Elisha Brown, Thomas Cranston, Peter Bours,
Robert Potter, Thomas Casey, Gideon Comstock, Nicholas
Gardner and Shearjashub Bourn, Esqs.

God save the King.

*Proceedings of the General Assembly, held for the Colony of Rhode
Island and Providence Plantations, at Newport, on the second
Monday of June, 1761.*

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

[There was no business of a public nature, transacted at this
session of the Assembly.]

*Proceedings of the General Assembly, held for the Colony of Rhode
Island and Providence Plantations, at Newport, on the 22d day
of June, 1761.*

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, Mr. Nicholas Tillinghast and James Angell, who
were appointed a committee to inspect a highway in Providence,
made the following report, to wit:

Report.

"We, the subscribers, being appointed a committee, by the
Honorable General Assembly, at their session in March last, to
inspect a highway in the town of Providence, do report:

That by the records of said town, there is a highway, of

thirty-seven feet wide, joining to the Main street, and holding the same breadth, and extending to low water mark, lying between the school house and the dwelling house of Mr. William Smith; and that the same is now appropriated as part of the jail yard, and some part of a barn standing thereon."

God save the King.

General Amherst to Governor Hopkins.

Albany, 15th June, 1761.

Sir:—The Right Honorable Mr. Secretary Pitt, having, by his letter of the 17th of December last, signified to you His Majesty's requisition of a body of troops to be forthwith raised by his provinces in North America, to be principally employed in securing the possession of His Majesty's conquests there, during the absence of such part of the regular troops as were to be employed on some great and important enterprise, that might reduce the enemy to the necessity of accepting a peace on terms of glory and advantage to His Majesty's crown, and beneficial, in particular, to his subjects in America.

And the Assembly of the colony over which you preside, having, in consequence of the said requisition, voted and raised a body of troops for the services above mentioned; but as the time limited for their serving, will expire before it is possible that the regular forces, who are to be employed on the important intended expedition, can return to relieve them; and that a small body of men will be absolutely necessary for the protection of the several forts and country in general, I must beg you will take the earliest opportunity of moving your Assembly to continue in the pay of your colony during the ensuing winter (or if there should be a time limited, that it may be to the 1st of July, 1762), one company, consisting of sixty-four men, including a captain, and subaltern; which is the proportion due from your colony, agreeably to the numbers required of the several colonies, for this essential service.

The reasons for this requisition are so obvious, and the advantages that will result to the country in general, from a compliance therewith, so apparent, that I am persuaded I need not use any arguments to induce your Assembly to acquiesce thereto; being convinced from the zeal they have shown, on all former occasions, for His Majesty's honor, and the good of the service, they will cheerfully continue that due regard they owe to the King; which, while it must be agreeable to His Majesty, reflects great honor on themselves; and they may be assured that their troops shall not be kept one day in the service, longer than is absolutely requisite.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Governor Hopkins to Joseph Sherwood.

Rhode Island, June 26, 1761.

Sir:—In the fore part of the year 1759, by the request of Admiral Durell, this colony furnished the King's ships then in America, with twenty-nine seamen, to whom it paid the bounty, at their entering into the service; and after their discharge and return home, paid them such wages as remained due to them, agreeably to the certificate of Capt. Wheelock, of His Majesty's ship Pembroke, on board which they had done duty; and in conformity to Admiral Durell's directions, I have, by order, and in behalf of the colony, drawn bills on the lords commissioners of the admiralty, in favor of William Richardson, for £479 17s. 8d., sterling, being the amount of the bounty and wages paid by the colony.

The gentlemen concerned in those bills, have agreed to send them all to your care; and in behalf of the colony, I am to desire you to apply in the most proper manner, to obtain payment of those bills. Yet, for fear some inaccuracy in transacting this affair, may prevent your receiving the money by the time the bills will be due, I am further to desire you not to suffer the bills to be protested and returned; but in case the money cannot be obtained in season from the commissioners, that then you undertake to pay those bills out of the money that will be given to this colony out of the Parliamentary grant, for the year 1759, which I hope will be received time enough for this purpose.

Please to give the colony the earliest information of your proceedings in this affair; and if any thing may be needful for effecting thereof.

I am very sorry so many of my letters have miscarried; however, am in hopes they must all have come to hand before now, as I have continued to send copies by many conveyances.

In behalf of the colony, with very great respect,

I am your very assured friend,

STEPHEN HOPKINS.

To Joseph Sherwood, Esq.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the first Monday of September, 1761.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that the town of Providence be, and they are hereby, allowed to raise a further sum of £6,000, by a lottery, consisting of three classes, to employed in paving the

streets in said town, in the same manner as the lottery granted for that purpose, by the General Assembly, which was held in February last ; that John Jenckes, Daniel Tillinghast, Ebenezer Thompson, Richard Jackson and Amos Atwell, be, and they are hereby, appointed directors of the said lottery ; and that each of them give bond to the general treasurer, for the faithful discharge of the trust reposed in him, in double the sum he shall receive in each class.

Whereas, several of the inhabitants of the town of Newport, preferred a petition, and represented unto this Assembly, that the General Assembly, at their session held at East Greenwich, on the last Monday of February last, passed an act for raising by a lottery, the sum of £6,000, to be appropriated towards paving the lower end of Thames street, in said town ; that the money so raised, hath been applied accordingly, but is found insufficient to complete the same ; that unless the said pavement be continued, the inhabitants will still be subject to great inconveniences, by reason of the badness of that part of the street that is yet unpaved ; and therefore the petitioners prayed that they might have liberty to raise a further sum of £6,000, by a lottery, consisting of four classes, each of which, to be agreeably to the scheme presented with the said petition ; and that the persons who may be appointed managers, be empowered and directed to apply the said sum of £6,000, in continuing the pavement aforesaid, until the whole thereof, shall be expended ; and the premises being duly considered,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that the prayer of the petitioners be, and the same is hereby, granted ; and the scheme by them presented with their petition, approved ; and that Messrs. Thomas Cranston, Silas Cooke, Evan Malbone, Andrew Hunter, John Malbone, Samuel Bours, Henry John Overing and Samuel Freebody, be constituted directors of the said lottery.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday in October, 1761.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, His Excellency General Amherst, by his letter of the 15th of June, to this colony, requested that a company of sixty-four men, including two officers, now in the service of this colony, may be retained therein, until the 1st day of July next,—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that a company, consisting of sixty-four men, including two officers, of the regiment now in the service of this colony, at Fort Stanwix, be retained there, until the 1st day of July next.

And be it further enacted by the authority aforesaid, that every soldier who shall enlist into the said company, shall be entitled to the same wages as is now allowed him; and shall also receive, as a gratuity over and above his wages, the sum of \$10; one half whereof, to be paid him in the colony's clothing now in the camp, and the other half in cash.

And be it further enacted by the authority aforesaid, that Col. John Whiting be, and he is hereby, empowered and directed to enlist the said company; and that if he shall not be able to fill the said company by enlistment, so many as shall be wanting, shall be draughted out of the regiment, by lot, and shall remain in the service, until the colony can release them, by placing others in their room.

And be it further enacted by the authority aforesaid, that the said Col. Whiting be, and he is hereby, appointed to command the said company; and that if he shall decline accepting

the command of the said company, he shall appoint the next commanding officer in the said regiment, who will accept thereof; and that the said John Whiting appoint the other officer of the said company, out of the first or second lieutenants or ensigns in the regiment, giving the preference to the officer of the highest rank.

And be it further enacted by the authority aforesaid, that the commanding officer of the said company shall be entitled to the same wages as are now allowed to a captain in the service of this colony; and the other officer the same wages as are now allowed to a first lieutenant.

And be it further enacted by the authority aforesaid, that the remaining part of the regiment shall be transported by water, from Albany; and that the committee of war immediately procure proper vessels for that purpose; and that if any person belonging to the regiment, shall come home by land, it shall be at his own expense.

And be it further enacted by the authority aforesaid, that all deserters from the said regiment, who shall deliver themselves up to any one or more of the committee of war, on or before the 24th instant, and shall return to their duty at Fort Stanwix, and continue in the service until the 1st day of July next, shall be forgiven, and shall receive wages from the time of their delivering themselves up, until they shall be discharged; and that all deserters who do not deliver themselves up, as aforesaid, by said time, shall be prosecuted according to law, with the utmost severity; and that the committee of war, for each respective county, take care that this part of the act, respecting deserters, be carried into execution.

And be it further enacted by the authority aforesaid, that the committee of war employ a suitable person, upon the best terms they can, to carry a copy of this act to Col. Whiting, at the camp.

It is voted and resolved, that His Honor the Governor, Othniel Gorton and Job Bennett, Jr., Esqs., and the secretary, be, and they, or the major part of them, are hereby appointed a committee, to draw an answer to the queries sent to this colony

by the lords commissioners for trade and the plantations, and lay the same before the General Assembly, as soon as conveniently may be.

[See page 242.]

Whereas, several of the inhabitants of the town of Johnston, preferred a petition, and represented unto this Assembly, that there is no meeting house in the said town; that Mr. Daniel Manton will give an acre of land near Benjamin Belknap's, whereon to set a meeting house; that the circumstances of said town are low; and therefore the petitioners prayed that a lottery might be granted them, to raise a sum of money sufficient to build a meeting house for public worship, free for the Baptist society of the ancient order, in said place, of the dimensions of forty feet long and thirty feet wide; and the premises being duly considered,—

It is voted and resolved, that the prayer of the petitioners be, and the same is hereby, granted; and the scheme, with the said petition presented, approved; and that Henry Harris and John Waterman, Esqs., and Messrs. Daniel Eddy, Benjamin Belknap and Gideon Waterman, be, and they are hereby, constituted directors of the said lottery; that they give sufficient bond for the faithful performance of the trust reposed in them; and that the said directors perform the said business without any allowance for their trouble.

Whereas, the General Assembly, at their session on the third Monday of March, in the year of our Lord 1750, made and passed an act for granting an excise upon wine and spirituous liquors sold by retail in the town of Newport, to continue for five years, which expired in March, A. D. 1756; and which said act was revived and continued for five years longer, which term is also expired;—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that the said act be, and the same is again hereby, revived; and shall continue and be in force for, and during the term of five years more, from the last expiration thereof.

And be it further enacted by the authority aforesaid, that

the excise upon each gallon of wine, and other spirituous liquors, be, and the same is hereby, augmented to three shillings per gallon ; provided, nevertheless, that currant wine shall be exempted from paying any excise.

And whereas, the town council of Middletown, preferred a petition, and represented unto this Assembly, that the extending the said act to the said town, would be very advantageous, and thereupon prayed the General Assembly would grant an excise upon all brandy, rum and other spirits distilled ; and upon all wines, unto the said town of Middletown, under the same regulations as the same is granted to the town of Newport.

Be it further enacted by the authority aforesaid, that the said excise act, extend to, and be in force in the town of Middletown, as fully in every respect as the same is in force in the town of Newport.

Whereas, there are several sums of money due from the crown to this colony, for billeting the troops, &c.,—

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to apply to His Excellency General Amherst, for all the money due to the colony, as aforesaid, and furnish him with all such rolls and papers as may be necessary in order to procure the same.

It is voted and resolved, that Joseph Lippitt and Philip Greene, Esqs., Capt. Benjamin Greene, John Wheaton and Daniel Howland, Esqrs, be, and they, or the major part of them, are hereby appointed a committee, to audit the accounts of the committee appointed to build the colony house in Providence, and make report to the General Assembly, as soon as conveniently may be.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday in October, 1761.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, by reason of several lotteries being carried on in this colony, at this time, the directors of the market and granary lottery have met with great difficulty in disposing of the tickets for the fourth class, and have not been able as yet, to fill the same,—

Be it therefore, enacted by this General Assembly, and by the authority thereof, it is enacted, that the directors of the market and granary lottery, in Newport, be, and they are hereby, empowered to appoint a time for the drawing of the fourth class of the said lottery; and if any tickets shall remain unsold, when the drawing begins, they may reserve the same on the account of the building; and if the tickets so reserved, shall draw a larger sum than they amounted to, the surplusage shall be appropriated for the use of the building; and if less, the balance shall be paid out of the money already raised by the said lottery, for the said building; and that the directors of the said lottery, be, and they are hereby, empowered to pursue the same method in any future classes of the said lottery, if they shall think fit.

And whereas, the said directors have liberty of drawing but one class more of the said lottery, which it is apprehended will not raise money enough to finish said building,—

Be it further enacted by the authority aforesaid, that the said directors be, and they are hereby, empowered to add so many classes to said lottery, as will raise a sufficient sum of money to complete the building for which the said lottery was granted.

Whereas, John Dexter, Esq., of Cumberland, and others, preferred a petition, and represented unto this Assembly, that a great number of fish of several kinds, come into the river called Seaconck River, as far as the falls, well known by the name of Pawtucket Falls; by which their passage further up the river is obstructed, and thereby the country above deprived of considerable advantages that would arise from the fish passing the said falls, there being nothing above them to prevent their passage to the head of the said river, which extends in one of its branches, almost one hundred miles back into the country; that some trials having been lately made to break down the said falls, it is thought by a number of gentlemen of knowledge, that a passage may be made, at the expense of £1,000, old tenor, so that fish of almost every kind, who choose fresh water, at certain seasons of the year, may pass with ease; and thereupon, the petitioners prayed, that a lottery may be set forth, to raise the sum of £1,500, old tenor, to be appropriated for effecting the purposes aforesaid; and the said petition being duly examined,—

It is voted and resolved, that the same be, and hereby is, granted; that Mr. Baulston Brayton, John Dexter, Esq., Capt. David Whipple, Mr. Daniel Mowrey, and Capt. Stephen Jenckes, be, and they are hereby, empowered to form a proper scheme of a lottery, and appointed directors thereof; that they give bond for the faithful performance of their duty, in the usual manner, appropriate the money so raised, for the purpose in the said petition mentioned, and render an account of their doings to the General Assembly; and that the said directors shall have nothing for their trouble.

And be it further enacted by the authority aforesaid, that if the said sum of £1,500, shall be more than sufficient to make a passage, as aforesaid, the surplusage shall be appropriated to the maintaining Pawtucket Bridge.

Whereas, the deputies of the town of Providence, by order of the said town, preferred a petition, and represented unto this Assembly, that in the night after the 24th instant, there was a hard gale of wind, which brought the highest tide into

the harbor of Providence, that hath been known in the memory of man, and carried away the great bridge in the said town, known by the name of Weybosset Bridge, beat down part of the buttments and pillars thereof, and carried away all the materials of wood ; that the said bridge hath been built from time to time, at the expense of the colony, excepting the last time, when it was re-built by money raised by a lottery ; and thereupon, the petitioners prayed this Assembly to grant a sum of money, sufficient to re-build the said bridge, and appoint some proper person or persons to receive the said money, and apply the same in re-building the said bridge ; and the said petition being duly considered,—

It is voted and resolved, that £1,000, old tenor, be allowed and paid out of the general treasury, to be applied towards re-building Weybosset Bridge, to such persons as shall be appointed by the town of Providence.

Protest.

We, the subscribers, beg leave to protest against the above vote for granting the above sum of money, out of the general treasury, for the re-building Weybosset Bridge, in the town of Providence, at this time, by reason there being but thirty-five members now present, and fourteen of that number belonging to the county of Providence ; we think they have a great advantage of voting money to their own county.

| | |
|------------------|-----------------|
| BENJAMIN GREENE, | JAMES BARKER, |
| GILES PIERCE, | GEORGE BROWNEL, |
| JEFFREY WILCOX, | JOSEPH SPENCER. |

God save the King.

Public Acts passed during the year 1761.

[The following public laws, in addition to those printed in these Records, were passed during the year 1761, and will be found (unless previously repealed) in the volume of Public Laws, printed in the year 1767.]

An Act for the maintenance of insolvent debtors and poor prisoners, at the King's suit, in jail ; and for repealing the several acts heretofore made for that purpose. (June.)

- An Act to prevent sheep and other cattle from being killed, worried or torn, by dogs. (June.)
- An Act for inquiring into the value of ratable estates in this colony. (June.)
- An Act for altering times of holding the superior court of judicature, court of assize, &c. (September.)
- An Act empowering the several towns in the colony to choose a deputy or deputies, in the room of any person or persons chosen to represent any town, who shall refuse to serve, remove or die before the time for which he was chosen, shall expire. (September.)
- An Act empowering the general treasurer to dispose of £9,000, sterling, being part of the money granted His Majesty to this colony. (October.)
- An Act for apportioning unto, and upon the several towns in this colony, the rate or tax lately ordered to be assessed and levied upon the inhabitants of said colony. (October.)

General Amherst to the Governor of Rhode Island.

Staten Island, 11th October, 1761.

Sir:—As I have not been favored with an answer to my letter to you, of the 15th June, I now enclose you a duplicate thereof; but I trust you have duly received the original, and before this, have laid the contents before your Assembly, and that they have made the necessary provision for continuing the number of men required by my said letter, during the ensuing winter.

And as by the packet, lately arrived from England, I have received His Majesty's commands for employing the greater part of the regular troops on an enterprise of the utmost importance, by which the quotas required of the several provinces will be absolutely wanted, I am now to request that you will give immediate orders to the commanding officer of the Rhode Island regiment to make a draft of sixty-four men, including a captain and subaltern, from the said troops, to continue during the ensuing winter, as the season advances, when I shall have to order the remainder home.

I have the pleasure to acquaint you, that the other provinces have cheerfully complied in granting the respective quotas demanded from them; and, I flatter myself the colony over which you preside, will not be less zealous in contributing their share for the good of His Majesty's service.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Sir William Johnson to Governor Hopkins.

Fort Johnson, December 10, 1761.

Sir:—The weighty business of a war, which has so long engaged the attention of the several governments, being now so fortunately determined in the northern colonies of America, gives me an opportunity which your attention to public affairs, as well as my own unsettled and troublesome situation hath hitherto prevented me from taking, of laying before you the demands which I have to make upon the several colonies, who did me the honor to appoint me to the command of their forces

in the year 1755, which trust, I flatter myself, I have discharged to their approbation; and, as I had no further desire in taking that command upon me, than to manifest the pleasure which I took in sacrificing my own ease, and neglecting my business (then very considerable), for the public, and at a time when our affairs were in a very critical situation, I am well convinced those governments who honored me with their commissions, never intended I should be a sufferer in my private fortune, from the expenses which the commander of an army must necessarily be at during the course of a long campaign, in which, mine, *bona fide*, amounted to near a thousand pounds, New York currency.

I therefore now take the liberty of reminding you thereof, not doubting but you will take the same into consideration, and lay it before the legislature; who, I flatter myself, will make me such an allowance as (with the quotas of the other colonies concerned, to whom I now apply), may reimburse me the expenses of that campaign, as well as my pay.

I am, with great regard, &c., &c.,

WILLIAM JOHNSON.

To the Honorable Governor Hopkins.

The Earl of Egremont to the Governor and Comp'y of Rhode Island.

Whitehall, December 12th, 1761.

Sir:—As the King has nothing so much at heart, as to secure, and improve the great and important advantages gained since the commencement of this war, in North America, and having seen his good dispositions to restore the public tranquility, entirely frustrated by the insincerity and chicane of the court of Versailles, in the late negotiation; and as nothing can so effectually contribute to the great and essential object of reducing the enemy to the necessity of accepting a peace, on terms of glory and advantage to His Majesty's crown, and beneficial, in particular, to his subjects in America, as the King's being enabled to employ as immediately as may be, such part of the regular forces in North America, as may be adequate to some great and important enterprise against the enemy; I am commanded to signify to you the King's pleasure, that in order the better to provide for the full and entire security of His Majesty's dominions in North America, and particularly of the possession of His Majesty's conquests there, during the absence of such part of the regular forces, you do forthwith use your utmost endeavors and influence with the Council and Assembly of your province, to induce them to raise with all possible despatch, within your government, at least the same number of men they raised last year, viz.: two-thirds of what had been levied for the former campaign; and, forming the same into regiments as far as shall be found convenient, that you do direct them to hold themselves in readiness, and particularly as much earlier than former years as may be, to march to such place or places, in North America, as His Majesty's commander in chief there, shall appoint, in order to be employed there, under the supreme command of His Majesty's said commander in chief, in America, in such manner as he shall judge most conducive for the King's service.

And the better to facilitate this important service, the King is pleased to leave it to you to issue commissions to such gentlemen of your province, as you shall judge, from their weight and credit with the people, and their zeal for the public service, may be best disposed, and able to quicken and effectuate the speedy levy-

ing of the greatest number of men ; in the disposition of which commissions, I am persuaded you will have nothing in view but the good of the King's service, and a due subordination of the whole to His Majesty's commander in chief ; and all officers of the provincial forces, as high as colonels inclusive, are to have rank according to their several respective commissions, agreeably to the regulations contained in His late Majesty's warrant of the 30th December, 1757, which has been renewed by His present Majesty.

The King is further pleased to furnish all the men, so raised as above, with arms, ammunition and tents, as well as to order provisions to be issued to the same, by His Majesty's commissaries, in the same proportion and manner as is done to the rest of the King's forces.

The whole, therefore, that His Majesty expects and requires from the several provinces, is, the levying, clothing and pay of the men ; and on these heads also, that no encouragement may be wanting to this great and salutary service, the King is further most graciously pleased to permit me to acquaint you, that strong recommendations will be made to Parliament, in their session next year, to grant a proper compensation for such expenses as above, according as the active vigor and strenuous efforts of the respective provinces shall justly appear to merit.

It is His Majesty's pleasure that you do, with particular diligence, immediately collect, and put into the best condition, all the arms issued last campaign, which can be any ways rendered serviceable, or that can be found within your government, in order that the same may be again employed for His Majesty's service.

I am further to inform you that similar orders are sent, by this conveyance to Massachusetts Bay, New Hampshire, Connecticut, New York and New Jersey. The southern governments are also directed to raise men in the same manner, to be employed in such offensive operations as the circumstances and situation of the enemy's posts, and the state and disposition of the Indian nations, on that side, may point out and require.

It is unnecessary to add any thing to animate your zeal in the execution of His Majesty's orders in this important conjuncture, which is finally to fix the future safety and welfare of America, and of your own province, in particular ; and the King doubts not, from your known fidelity and attachment, that you will employ yourself with the utmost application and despatch, in this promising and decisive crisis.

I am, etc.,

EGREMONT.

To the Governor and Company of Rhode Island.

The Earl of Egremont to the Governor and Company of Rhode Island.

Whitehall, December 12, 1761.

Sirs :—The King having taken into his most serious consideration, how highly essential it is to the interests and security of his subjects in North America, that the regular regiments, serving in that country, be recruited with all convenient expedition, to their full complement of effectives, and at the same time, seeing the impracticability of completing them from Great Britain, considering how this country is drained, by the great number of men furnished for the various services in all parts of the world ;

I am therefore to signify to you the King's pleasure, that you do, immediately on the receipt of this letter, exert your utmost influence to induce your province to carry into the most speedy and effectual execution this very important object, by immediate compliance with any requisition, which Sir Jeffery Amherst shall, in

consequence of His Majesty's orders, make for furnishing, on certain conditions, which he will explain to you, such a number of recruits from your province as he shall demand, as their quota, towards completing the regular regiments, which have been sent to America, for the defence and protection of the possessions of His Majesty's subjects there; and the King cannot doubt, but that the provinces will cheerfully and readily comply with this reasonable demand, so obviously calculated for their own security and advantage; at the same time, that your zeal for His Majesty's service, will naturally excite you to use all your influence and power in bringing effectually to bear, a measure which His Majesty has so much at heart, and with regard to which, any failure or disappointment would be extremely disagreeable.

I have it also in command from the King, to acquaint you, that though the present situation of affairs would have fully justified the having required of the provinces as large a number of men as they ever have raised for any of the former campaigns, instead of the quota which was demanded the last year;

Yet, His Majesty, considering the high importance of the service, which makes the subject of this letter, and being desirous to ease the burdens of his faithful subjects, as far as shall be consistent with their own safety, has been pleased to require only the same number of men, as for the last year, in order thereby, to facilitate a measure so essential as the completing the regular regiments, by recruits to be furnished from the provinces in North America; and the King is persuaded that the said provinces, duly sensible of His Majesty's tender and paternal care for their welfare, will, in return, readily and cheerfully comply with the orders now sent you.

I am, etc., EGREMONT.

To the Governor and Company, of Rhode Island.

The Earl of Egremont to the Governor and Company of Rhode Island.

Whitehall, 7th January, 1762.

Gentlemen:—His Majesty having found it necessary to declare war against the king of Spain, was pleased, in a council held on Saturday last, at St. James's, for that purpose, to sign the enclosed declaration, and to order that the same should be published on Monday, the 4th instant, by the heralds-at-arms, in the usual places, and with the accustomed formalities; which has been accordingly done.

You will find the just and indispensable reasons which have forced the King to take this measure, so fully set forth in the above declaration of war, that I am only to signify to you His Majesty's pleasure, that you do cause the same to be proclaimed in the colony under your government, in order that the King's subjects, having this notice, may take care to prevent any mischief which otherwise they might suffer from the enemy, and do their duty in their several stations, to distress and annoy the subjects of Spain; and His Majesty would have you be very vigorous and severe in preventing any provisions, ammunition or stores of any kind, from being carried to them; and you are to use all proper methods that may be most effectual, for that purpose.

I am, with great truth and regard, &c., &c.,

EGREMONT.

To the Governor and Company of Rhode Island.

P. S. His Majesty has been pleased to order letters of marque, or commissions to privateers, to be granted in the usual manner.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the last Monday of February, 1762.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that the late, and present committee of war be, and they are hereby directed to make out a true list, duly attested, of all the soldiers that have been billeted by this colony, since the last rolls were completed, with the sums paid by the colony set against their names; and return the same to His Honor the Governor, within ten days after the rising of this Assembly; and that His Honor the Governor be, and he is hereby, requested to cause fair copies thereof to be made, and send them with the billeting rolls for the year 1757, to His Excellency Gen. Amherst, in order for payment.

Whereas, James Helme, Esq., and others, inhabitants of the town of South Kingstown, preferred a petition, and represented unto this Assembly, that the said town is obliged to make and maintain five large bridges, over large rivers, two of which bridges stand on the public post road; that by the providence of God, in the late great storm and high tide, the bridge over Petaquamscutt River was almost destroyed, and rendered unsafe to pass over; that the said bridge is of great utility, and necessary for all persons that pass to, or from the town of Newport, through the said town of South Kingstown; that the General Assembly have from time to time granted large sums for building and repairing bridges of less importance to the public, than the aforesaid bridge; and therefore prayed that a sum of money might be allowed out of the general treasury, in order to repair the said bridge; and the said petition being duly considered,—

It is voted and resolved, that £300, be allowed towards re-

pairing the said bridge ; and that Mr. William Potter be, and he is hereby, empowered to draw that sum out of the general treasury, for the purpose, aforesaid, as the same shall be wanted.

An Act for raising and paying six hundred and sixty-six able bodied, effective men, to be employed in His Majesty's service, in North America, in the ensuing campaign, and for supplying the treasury with a sufficient sum of money to defray the necessary charges thereof.

Whereas, this Assembly hath received advice from the Right Honorable the Earl of Egremont, one of His Majesty's principal secretaries of state, (by a letter bearing date the 12th day of December last), that His Majesty hath nothing so much at heart, as by the most vigorous prosecution of the war, to reduce the enemy to the necessity of accepting a peace on terms of glory and advantage to His Majesty's crown, and beneficial, in particular, to His Majesty's subjects in America ; that it is the King's pleasure, in order the better to provide for the full and entire security of His Majesty's dominions in North America, and particularly the possession of His Majesty's conquests there, that this colony do, with all possible despatch, raise the same number of men this year, as they were ordered to raise the last year ; that is to say : two-thirds of the number that had been levied for the former campaigns ; [six hundred and sixty-six men] ; that they be held in readiness as much earlier than in former years, as may be, to march to such place or places in North America, as His Majesty's commander in chief shall appoint, in order to be employed there, under his command, in such manner, as he shall judge most conducive to the King's service ; and this Assembly being truly sensible of His Majesty's most gracious intentions, and willing to give all the assistance in their power for effecting so important a design,—

[Here follows the act.]

Both houses being resolved into a grand committee, chose the following officers to command the regiment by this Assembly ordered to be raised for the ensuing campaign.

Field officers—Samuel Rose, Esq., colonel; Christopher Hargill, Esq., lieutenant colonel; Nathaniel Peck, Esq., major.

Captains—Abraham Hawkins, Thomas Fry, Thomas Tew, Giles Russel and Jeffery Wilcox.

Lieutenants—Asa Bowdish, Israel Peck, George Cornell, son of Clarke; Samuel Thornton, Thomas Cottrell, Hezekiah Saunders, Thomas Rose, William Prior, Moses Warren, Asa Kimball, Andrew Boid, William Herrenden, and Edward Cross.

Ensigns—Daniel Coggeshall, Alexander Brown, Simeon Stevens, Jonathan Miller, Ishmael Wilcox, Beriah Hopkins and John Tefft.

Benjamin Brown, surgeon; and Lieut. Asa Kimball, adjutant of the regiment.

Whereas, Joseph Lippitt and Philip Greene, Esqs., and Mr. John Wheaton, who were appointed a committee to audit the accounts of the committee who built the court house, in Providence, presented unto this Assembly, a state of that account, together with a report thereon; and also an account by them charged for their time and expenses, in performing that business, amounting to £48,637 0s. 11d.;—

It is voted and resolved, that Messrs. John Wanton, son of Gideon, Thomas Freebody, Pardon Tillinghast, Edward Thurston, Jr. and Elnathan Hammond, be, and they, or the major part of them are hereby, appointed a committee to wait on His Honor the Governor, and receive of him the money in his hands, that arose from the sale of a quantity of sugars, which were lately decreed to His Majesty, by the judge of the court of vice admiralty, in this colony; and that they also examine the records of said court, and receive what more shall appear to belong to His Majesty, by virtue of said decree, from those persons in whose hands the same may be, and deliver the whole of what they shall receive, to the general treasurer, giving and taking receipts for the same; that thereupon, the action brought for said goods, be withdrawn; and that the said committee make report of their doings to the General Assembly, at the next session.

God save the King.

Letters of General Amherst to the Governor of Rhode Island.

New York, 9th February, 1762.

Sir:—By the General Wall packet, which arrived here this morning, I am honored with a letter from the Earl of Egremont, one of His Majesty's principal secretaries of state, bearing date the 12th December last, wherein His Lordship is pleased to acquaint me, that as the King has nothing so much at heart as to secure and improve the great and important advantages gained since the commencement of this war in North America, and having seen his good dispositions to restore the public tranquility, entirely frustrated by the insincerity and chicane of the court of Versailles, in the late negotiation; His Majesty is again obliged to take into his royal consideration, what ulterior operations can be entered upon by such part of the troops under my command, as can be spared for other service, without the least diminution of the full and entire security as well of His Majesty's former dominions, as of those acquired by conquest in North America.

In order that everything may be in readiness for an early campaign, and to be able to employ an adequate number of the regular forces in whatever attack may be resolved upon, His Majesty has thought it necessary to lose no time in despatching his orders to the several governors in North America, for levying, with the utmost expedition, the same number of men they respectively raised for the last campaign.

His Majesty's directions on this subject, to the several governors, are so fully specified in the circular letter written by the Earl of Egremont, of which His Lordship has sent me a copy, that it only remains with me most earnestly to entreat you, to lose no time in convening your Assembly, and laying before them the aforesaid letter of the secretary of state; and that you will forthwith use your utmost endeavors and influence with the Council and Assembly, to induce them to raise, with all possible despatch, within your government, the same number of men as was required from your colony for the service of the last campaign.

I cannot think, sir, that I need urge any arguments to convince you of the necessity of an early compliance with His Majesty's commands, as it is more than probable that this campaign, if opened in time, and carried on with vigor, must be that which will at last compel our enemy to treat in earnest, on such terms as will be equally glorious and advantageous for His Majesty's crown, and permanently beneficial to his American subjects; and I therefore trust that the Assembly will enable you to put those commands into immediate execution, since they terminate in a point wherein they are so nearly concerned; and that the King's principal object has been for their present security, as well as their future welfare and prosperity.

You will observe by the Earl of Egremont's letter, that as a further encouragement to a proper exertion on the part of the provinces, His Majesty has ordered, as heretofore, that the provincial forces should be victualled in the same manner, and in the same proportions as the regulars; and that they should be supplied with arms and tents, at the expense of the crown; moreover, that strong recommendations will be made to Parliament in their session next year, to grant a compensation to the provinces, according as their respective vigor and strenuous efforts shall justly appear to merit.

I have it also in command from His Majesty, to enjoin you to collect and cause to be put into proper condition, all the serviceable arms that can be found within your colony; for every one of which, that shall be brought to the field, and shall not return, by reason of being spoiled or lost in actual service, I shall pay the usual allowance of twenty-five shillings per firelock.

As it is very essential to the services I may have in command from the King, that I should be, as early as possible, informed of the resolves of your Assembly, on this head, and of the time that the troops will be ready, I beg, that as soon as you are acquainted therewith, you will signify the same to me by express, that I may regulate myself accordingly.

I have likewise received a letter from the Earl of Egremont, of the same date with the former, signifying His Majesty's intentions of completing the regular regiment serving in America, by recruits to be raised by the several provinces (over and above the quotas demanded in the other letter), on such terms and conditions as I shall propose; I shall, in obedience thereto, so soon as I have fixed on the numbers necessary to be furnished by the respective provinces, communicate to you the encouragements which His Majesty is graciously pleased to empower me to give for effecting this most essential service; and in the mean time, I think it my duty to acquaint you of this intended measure, that you may be prepared for exerting your utmost influence with your Assembly, to grant the number of men that I shall be obliged to require of your colony, that His Majesty's commands may be duly obeyed.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

New York, 21st February, 1762.

Sir:—As I acquainted you in my letter of the 9th instant, that I had been honored with His Majesty's commands for completing the regular corps serving in North America, by recruits to be raised by the several provinces, on such terms and conditions as I should propose.

In consequence of these commands, and in obedience thereto, I have duly considered not only the numbers that will be necessary to be furnished by the respective colonies, but the encouragements to be given, to induce the men voluntarily to enter into the service, which I am persuaded, will, if properly backed by the provinces, have the desired effect.

The number of men expected from your colony, for this service, with the method proposed for raising them, I shall now lay before you; and the Earl of Egremont's letter, which I herewith enclose to you, will show you how much the King has this measure at heart, and how disagreeable any failure or disappointment therein, would be to His Majesty.

The quota to be furnished by your colony, agreeably to the proportions from the other provinces, is one hundred and seventy-eight men. I must, therefore, most earnestly request you will use your utmost influence with the Assembly, to raise that number over and above those already demanded by my letter of the 9th instant, by paying them the same levy money as the others.

And as an encouragement to induce them to enter into the regular service, I propose to allow £5, New York currency, bounty money, to each man, not under eighteen, nor above forty years of age, who shall enlist to serve during the war, or

until the regiments return to Europe. They shall be clothed and enter into immediate pay, without any further expense to the colony than their first levying; and at the expiration of their time, as above mentioned, shall be sent back to their respective homes.

And in order to encourage the provincial officers to forward this essential service, I leave it to you to appoint any officer or officers you shall think proper, to persuade the men to enter into the regular service, on the above conditions; for every one of which that he shall so enlist, and that is approved of by a regular officer, whom I shall appoint for that purpose, the said provincial officer shall receive a reward of forty shillings, New York currency.

It will therefore be necessary that I have the earliest notice of the time when you think the men will be raised, that I may send an officer to approve of them, receive them, and to pay the bounty and reward as already promised.

I have only to add, that to render this service effectual, and prevent desertion, I shall expect the colony will provide for re-placing such men, as do desert; which, when known, I am persuaded will prevent any of them from leaving their corps, since they cannot expect protection in the colonies.

You will please to observe, that the execution of this measure must by no means retard, or interfere with the requisition made by His Majesty, for the provincial service; the King ever mindful of the ease and welfare of his faithful subjects, demands only such assistance as may be granted, without subjecting them to any heavy burthen; and therefore has been pleased to make his requisitions agreeably thereto; and I trust from your known zeal for His Majesty's honor, and the good of the service, you will enforce the necessity of both measures, when you meet your Assembly, in such a manner, that, as these measures are calculated for the prosecution of a war, in which the immediate security and future interests of the provinces are so essentially concerned, they will cheerfully and readily comply with His Majesty's commands, and thereby approve themselves faithful and obedient subjects of the best of kings.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the 23d day of March, 1762.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, the members of the Church of England, in Providence, and others, preferred a petition, and represented unto this Assembly, that they are not able to raise a sufficient sum

of money by subscription, for repairing the church, in said town, and building a new steeple ; which, if properly finished, will not only be an advantage to the building, but an ornament to the town ; and therefore prayed this Assembly, that a lottery may be set forth, for raising \$1,000, to be applied for the purpose, aforesaid ; and that George Taylor, Henry Paget and Samuel Chace, Esqs., and Messrs. John Cole, Joseph Russell, Ebenezer Thompson, Joseph Nash and Silas Cooke, be appointed directors of the said lottery ; and the said petition being duly considered,—

It is voted and resolved, that the same be, and hereby is, granted ; provided, the directors give bond in double the sum of the lottery ; and that no charge accrue to the colony.

[A lottery was also granted to raise £2,200; for paving the north part of the town of Providence, where the road was miry. The directors of this lottery, were Elisha Brown, Obadiah Sprague, Nathaniel Balch, James Olney and Samuel Currie. Another lottery, of three classes, was also authorized, to raise £6,000, for paving streets in Providence, the directors for which, were Esek Hopkins, Moses Brown, John Smith, Benoni Pearce, Nicholas Tillinghast and Benjamin Man.

At the same session, a lottery, to raise \$4,500, was granted to William Wall and Henry Wall, of North Kingstown, who were “almost utterly ruined” by the destruction of merchandize, by a fire in Newport. The preamble states that “many of His Majesty’s subjects are desirous of assisting the petitioners in the handsomest manner they can.”]

An Act for raising one hundred and seventy-eight able bodied, effective men, to recruit His Majesty’s regular regiments, in North America.

Whereas, letters have been received by this colony, from the Right Honorable the Earl of Egremont, and His Excellency General Amherst, requiring this colony to raise one hundred and seventy-eight effective men, for recruiting His Majesty’s regular regiments now serving in America ; and His Excellency General Amherst, hath engaged in behalf of the crown, to

pay to every able bodied, effective man, who shall enlist into said service, £5, New York currency, as a bounty ; and also forty shillings, of the like money, to the officers that shall be appointed to enlist said men, for every man that shall be so enlisted ; and this Assembly being ready and willing to do every thing in their power for His Majesty's service,—

[Here follows the act.]

It is voted and resolved, that the committee of war immediately take an account of all the men enlisted in the regiment raising by this colony ; that they order the soldiers to be brought before them, in order to pass muster ; and discharge all such as appear unfit for the service ; and that each enlisting officer shall return to the committee of war, the bounty and billeting money he hath paid to such men, as shall be discharged as unfit.

And for supplying the treasury with a sufficient sum of money, to pay the bounties of the men ordered to be raised, to recruit the regular regiments in North America,—

It is further voted and resolved, that the sum of £2,000, lawful money, be forthwith emitted ; that the bills be of the denomination of 30s., 20s., 10s., 5s. ; that they bear date the 10th of April, 1762, and be signed by any three of the committee appointed to sign the £5,000, last emitted ; and that the money be emitted upon the same terms ; the bills be of same tenor and form, and redeemed in the same manner, as the aforesaid £5,000, last emitted.

Whereas, the following report was laid before this Assembly, and accepted, to wit :

Report.

Whereas, in the year 1755, in the month of August, Joseph Barber and Benoni Hall, were appointed a committee to exchange part of the Ten Rod Highway, nigh to Abraham Wilcox's land, and Elisha Barber's land ; and have done the same, according to a draught thereof, and return thereon, signed by said Barber and said Hall ; and the said Abraham Wilcox and

Elisha Barber, both appeared in said town meeting, and desired that said return might be accepted ; and also agreed with said town to accept of the old highway adjoining to the new one laid out by said Barber and said Hall ; in lieu, and in full satisfaction for what land the new highway takes out of each of their respective lands.

ABRAHAM WILCOX,
ELISHA BARBER.

Whereas, several of the inhabitants of the town and county of Providence, preferred a petition and represented unto this Assembly, that part of the country road, leading from the town of Providence into Connecticut, which lies in the town of Gloucester, is so very rough and bad, that travellers and carriages are not able to pass without great difficulty ; that the said road being of great extent, a considerable part of it without inhabitants, and the land adjoining thereto, poor and barren, it is not likely that the same will be made conveniently passable in many years, without some public assistance be afforded to the inhabitants of said town ; that a very useful and necessary commerce is carried on between the inhabitants of the colony of Connecticut and the town of Providence, which will be greatly increased to the mutual benefit of both parties, if the said road be repaired and rendered commodious ; and therefore the petitioners prayed that liberty may be granted, to raise the sum of £4,000, by way of lottery, to be applied to the use aforementioned ; that Timothy Wilmarth, Benjamin Smith and John Aldrich, Esqs., Messrs. Benjamin Barrett, Joseph Smith, William Dean, Jonas Steere, Chad Brown, Abraham Winsor and Andrew Waterman, or the major part of them, be appointed managers thereof ; with full power to set forth said lottery, in one or more classes, on such scheme or schemes, as they shall think will best conduce to finish said undertaking ; that the first £2,000, that shall be raised, be laid out upon the road between the colony line and Joseph Smith's ; and that the remaining part be laid out between the said Joseph Smith's and Capt. William Dean's. And the said petition being duly considered,—

It is voted and resolved, that the same be, and hereby is, granted ; provided, that the directors give sufficient bond, in double the sum of the lottery, and that no charge accrue to the colony.

Whereas, Messrs. Edmond Sheffield and Joseph Spencer, deputies from the town of New Shoreham, did, in behalf of the said town, prefer a petition, and represent unto this Assembly, that on the westernmost side of said island, there is a large pond, covering above one thousand acres of land, which formerly had a communication with the sea, by a creek ; that then the fishing ground for cod was well known, and bass was there to be caught in great plenty ; that since the creek has been stopped, the fishing ground for cod is uncertain, they being scattered about in many places ; and the bass have chiefly left the island ; that they are of opinion, that a communication may be opened between the said pond and the sea, so that a passage may be obtained large enough for coasting and fishing vessels to pass and re-pass, and thereby find a safe and commodious harbor ; that if this communication can be made, the fishery will again become sure and certain, and fishing vessels will not be obliged in bad weather, to run to Newport, New London, or any other port, before they have got their fare, but there may find a safe harbor ; that it will be attended with the greatest advantages, not only to this colony, but the neighboring governments ; and particularly the inhabitants of New Shoreham will reap so great benefit from it, as will enable them to pay a much larger proportion of the public taxes, than they are now able to do ; and thereupon, they prayed this Assembly to grant a lottery, to defray the charge thereof, [which was granted, accordingly.]

[The following lotteries were also granted at this session : To the inhabitants of Smithfield and Cumberland, to raise £2,000, old tenor, to re-build the bridge at Woonsocket Falls. Directors, Wm. Arnold, John Dexter, Amos Sprague, Charles Capron, Hezekiah Herrenden and Samuel Cooke.

To Samuel Dunn, of Providence, to raise £4,500, old tenor, to remunerate him for losses incurred ; first, in the capture of

his sloop Joseph, by a French privateer; and second, in the loss of his vessel and cargo, by shipwreck, on the coast of North Carolina.]

God save the King.

Governor Hopkins to General Amherst.

Providence, March 10, 1762.

Sir:—The Earl of Egremont's letter, of the 12th of December last, to this colony, accompanied by Your Excellency's, of the 9th of February, I have received; and very soon after, they came to my hands, laid them both before the General Assembly, then sitting, who came unanimously into a resolution, to comply with the demand made by those letters: and, accordingly, voted six hundred and sixty-six men for the service of the ensuing campaign; made the necessary provision for raising and equipping of them, formed them into a regiment, and appointed the necessary officers to conduct them.

The officers thus appointed, immediately entered upon the service, and began to enlist men, and have had so great success in that business, as I am informed, that a very considerable part of the men are already enlisted; and, I make no doubt, but the whole number will be completed in a short time, and ready to move forward to such place, and in such manner, as Your Excellency shall be pleased to direct.

The secretary of state's other letter to this colony, of the same date, with Your Excellency's, of the 21st of February, I have also received, though not till after the Assembly were risen, occasioned, as I suppose, by the post being hindered by the late severity of the season. However, I propose to call the Assembly again together, and lay those last letters before them, on the 23d of this month; and I have not the least reason to doubt but the Assembly will do every thing in their power to comply with, and effectually carry into execution, the demands made by these letters; but how far their utmost endeavors may be crowned with success in this business, is not easily determined at present.

In behalf of the colony, I am, &c., &c.,

STEPHEN HOPKINS.

To Sir Jeffrey Amherst.

Letters from General Amherst to the Governor of Rhode Island.

New York, 21st March, 1762.

Sir:—I was last night favored with your letter of the 10th instant, acquainting me, that your Assembly, on laying the Earl of Egremont's letter of the 12th December, and mine, of the 9th of February, before them, came unanimously into a resolution to comply with the demand made by those letters; and accordingly voted six hundred and sixty-six men, for the service of the ensuing campaign.

As they have so cheerfully testified their zeal for the King, in thus complying with his commands, I can have no doubt but the other measure, for granting a

quota of men for filling up the regular corps, will appear equally essential; and that the Assembly will as readily acquiesce in providing for that service, as they have been in granting the other.

It gives me great pleasure to find that a considerable part of the men for the provincial service, are already enlisted; and as I am in daily expectation of the arrival of a packet from England, you shall have the earliest notice of the destination of your troops, after I receive His Majesty's commands thereon.

I cannot conclude, without returning you, and the Assembly, my sincere thanks for the expedition used in putting His Majesty's commands in execution; which cannot fail of being agreeable to the King, as the measures proposed thereby, are of the utmost consequence to his kingdoms in general.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

New York, 28th March, 1762.

Sir:—An officer arrived here last night, with letters from Maj. General Monckton, giving me an account of the signal success of His Majesty's arms under his command, in the entire reduction of the island of Martinique; on which great and glorious news, I most heartily congratulate you.

The citadel of Fort Royal surrendered by capitulation, (the garrison becoming prisoners of war,) on the 4th February, in consequence of two defeats the enemy received on the 24th and 27th January, in their out-posts, where it seems they had every advantage of situation they could wish for; but our troops, with the most irresistible impetuosity, carried every thing before them.

Immediately on the surrender of Fort Royal, deputies from a majority of the quarters of the island came in, and submitted to terms of capitulation, whereby they become subjects of Great Britain; and on the 13th February, Mr. De La Touche, the French governor, sent proposals of capitulation, which having been agreed upon, General Monckton took possession of St. Pierres and the whole island on the 16th.

What adds greatly to this conquest, is, that it has been accomplished with the loss of very few men, among whom, there is not one officer of distinction.

By a letter I received last night, from Mr. Hancock, at Boston, he assures me that a vessel arrived at Marblehead, had brought certain accounts of a Spanish war having been declared in England, the 5th January. Although I have not this from any authority, I can't help mentioning it, that you may make what use you think proper of it, to rouse your Assembly to exert themselves with a becoming spirit, at a time when His Majesty's arms, in humbling the pride of one enemy, is threatened by another power no less formidable.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

New York, April 2, 1762.

Sir:—I doubt not but by the arrival of the Enterprize man of war, you will have received letters from His Majesty's principal secretary of state, informing you of the King's having declared war against Spain; and by the declaration, you

will see the just and indispensable reasons that obliged His Majesty to take that measure.

By this ship, I have been honored with His Majesty's commands, for forming a detachment of regulars and provincials, to be embarked at this place, on an expedition of the utmost importance.

That I may comply with the King's orders, as early as possible, I have fixed upon the number of provincials to be employed on this service, and have been as sparing in their numbers, as the nature of the service would permit; though I am confident it will be very agreeable to them, since they will meet with every indulgence, and will not be subject to the fatigue that they have gone through in the long marches in former campaigns; and that so soon as this service is effected, which cannot be of long duration, they shall immediately return to New York.

The number I am to require from your colony, is two hundred and seven men, with one field officer, two captains and other officers, in proportion to the above number, to be formed immediately from the quota now raising; and to be forwarded with the utmost despatch to this place in sloops, as in former years.

These men will require nothing more from the colony, than has been usually given them; for they shall be furnished with every requisite, on their assembling here, for the expedition.

I need not, I am persuaded, add any arguments to induce you to give immediate orders for hastening the formation of the above quota, as a moment's time is not to be lost, in putting His Majesty's commands in execution, and, have only to request that, while this service is forwarding, care may be taken that it may not retard the completing of the remainder of the quota demanded by the King; as also furnishing the recruits for the regular regiments, as their services will be essentially requisite for the prosecution of a war, wherein the honor of His Majesty's crown, the welfare of his subjects and the prosperity of kingdoms, are so nearly concerned.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

New York, 11th April, 1762.

Sir:—As I doubt not but that the levies for the provincial service are by this time complete, I must desire you will be pleased to order the remainder, (after sending the quota demanded for immediate service, as by my letter of the 2d instant,) to be embarked on board sloops, and proceed to Albany, where, on their arrival, they shall be mustered and paid their fourpences as in former years, from the time of their several enlistments to that of their receiving the King's provisions.

So soon as I know what progress is made in the recruiting for the regular corps, I shall send an officer to approve of the recruits, and pay the bounty money.

I am, with great regard, &c. &c.,

JEFF. AMHERST.

To Governor Hopkins.

New York, April 15, 1762.

Sir:—As from several papers that have fallen into my hands, I have undoubted proofs of the enemy being supplied with provisions from almost every port on the

continent of North America, I must represent to you the necessity of putting a stop to such infamous practices, particularly at a time when there is the greatest demand for provisions to supply the King's troops; and as I am well informed that there are large quantities in store, in the several provinces, kept up by the merchants on purpose for exportation; and that very large supplies will be wanted for the troops that are to assemble on this continent, for immediate service; I should desire an embargo on the shipping, were I not adverse to such a measure, which might be attended with several inconveniences; and as I think the preventing any provisions from being exported, may answer the same end, I must therefore request you will be pleased to take such steps as you think best for effectually prohibiting any kind of provisions from being shipped at any of the ports within your colony, except for the above mentioned services; and for obliging the merchants to deliver what they have in their stores to persons that shall be appointed to purchase the same, for the crown (the contractors or any other agents, having no concern therewith); that the King's service may be carried on, and may not suffer for the want of that most essential article.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

New York, April 19, 1762.

Sir:—I have the pleasure to acquaint you of the continuation of the success of His Majesty's arms.

By letters received this morning from Major General Monckton, of the 19th March, he informs me of the grenades having surrendered on the 5th of that month, on the same terms as Martinique; and that he had sent to take possession of St. Lucia, St. Vincent and Tobago; the former of which, had also capitulated.

The general likewise acquaints me, that on the 8th, a French fleet had appeared to windward of the island; and he was in hopes would have attempted to have landed; but on intelligence of the island's being taken, they made off. The admiral sailed after them, but had not the good luck to overtake them. He was, however, going out again with the greatest part of the fleet, the day that General Monckton sent his despatches.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

Lieut. George Cornell to Gen. Amherst.

Fort Stanwix, 14th April, 1762.

Great Sir:—I hope the government of Rhode Island have informed Your Excellency that this company of provincials, that is here with me, was intended for no longer than the first day of July next; although for my own part, I could wish I was to recruit a company for seven years; for I am sure, that it would be very agreeable to me. At the same time, if these people are not recruited again, it will be impossible to keep them any longer than that time.

I also inform Your Excellency, that when I recruited this company, Col. Whiting told me, he would stay himself; and before we had any orders from the gov-

ernment, Col. Whiting gave several of the people, from under his hand, to be discharged the 1st of May, which I had never come to the knowledge of, till a few days ago; and I desired Capt. Ogilvie to acquaint Your Excellency of the same.

The government has not sent any other officer to the company, but myself, as yet; and I imagine they will not; nor have I seen any orders from the government, at which I am not a little surprised; and therefore thought it would be proper to acquaint Your Excellency of the situation of the company, and shall wait for Your Excellency's further orders.

I am, sir, &c., &c.,

GEORGE CORNELL,

Lieut. Rhode Islanders.

To Sir Jeffrey Amherst, commander in chief in North America.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1762.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

The following officers, declared elected, were duly engaged

The Hon. Samuel Ward, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

Mr. James Honeyman,

Mr. Nathaniel Searle,

Mr. Nicholas Easton,

Mr. Joseph Harris,

Mr. Nicholas Tillinghast,

Mr. Daniel Coggeshall,

Mr. Darius Sessions,

Mr. Henry Gardner,

Mr. Robert Lawton,

Mr. Samuel Greene.

DEPUTIES.

Newport.

Mr. Gideon Wanton, Jr.,

Mr. John Wanton,

Mr. George Hazard,

Mr. John Jepson,

Capt. Daniel Ayrault,

Capt. William Read.

Providence.

Mr. Daniel Jenckes,

Mr. Joseph Nash,

Mr. Joseph Olney,

Mr. George Jackson.

DEPUTIES.

Portsmouth.

Mr. John Shearman, Jr.
 Mr. David Anthony,
 Mr. Robert Burrington,
 Mr. George Brownell.

Warwick.

Mr. Philip Greene,
 Mr. Othniel Gorton,
 Col. James Arnold,
 Capt. Holden Rice.

Westerly.

Capt. George Stillman,
 Mr. James Babcock, Jr.

New Shoreham.

Mr. Nathaniel Littlefield,
 Mr. Edmond Sheffield.

North Kingstown.

Mr. Ezekiel Gardner,
 Mr. Samuel Boone, Jr.

South Kingstown.

Mr. William Potter,
 Mr. Thomas Potter, Jr.

East Greenwich.

Mr. Giles Pierce,
 Capt. Benjamin Greene.

Jamestown.

Capt. William Haszard,
 Mr. George Franklin.

Smithfield.

Mr. Thomas Arnold,
 Mr. Jonathan Arnold, Jr.

Scituate.

Capt. Job Randall,
 Mr. Jeremiah Angell.

Glocester.

Mr. Richard Steere,
 Capt. Joseph Winsor,
Charlestown.

Capt. Robert Potter,
 Capt. John Champlin.

West Greenwich.

Mr. Benjamin Tillinghast,
 Capt. Charles Carr.

Coventry.

Mr. Caleb Greene,
 Capt. Joab Stafford.

Exeter.

Mr. John Chapman,
 Mr. Daniel Barber.

Middletown.

Mr. James Barker, Jr.,
 Mr. Jonathan Easton.

Bristol.

Mr. William Bradford,
 Mr. Daniel Bradford.

Tiverton.

Mr. Thomas Anthony,
 Mr. Job Durfee.

Little Compton.

Mr. William Hall,
 Mr. Oliver Hilyard.

Warren.

Mr. James Brown,
 Mr. Ebenezer Cole.

Cumberland.

Mr. John Dexter,
 Capt. Daniel Wilkinson.

DEPUTIES.

Richmond.

Mr. Joseph Clarke,
Mr. Thomas Kinyon.

Cranston.

Mr. John Burton,
Capt. Matthew Manchester.

Hopkinton.

Major Joshua Clarke,
Mr. John Maxson.

Johnston.

Mr. Thomas Owen,
Lieut. Col. Josiah Thornton.

Capt. Daniel Ayrault, speaker, Josias Lyndon, Esq., clerk.

Mr. Henry Ward, secretary.

Mr. Augustus Johnson, attorney general.

Mr. Joseph Clarke, general treasurer.

Jeremiah Niles, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Jos. Wanton, son of Gideon. Providence county, Mr. Paul Tew. Kings county, Mr. Gideon Hoxie. Bristol county, Mr. Charles Church. Kent county, Mr. Rufus Spencer.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Mr. Job Bennett, Jr., colonel; Mr. Samuel Freebody, lieutenant colonel; Mr. Benjamin Sherburne, major.

Providence county, Mr. Benjamin Bowen, colonel; Mr. Josiah Thornton, lieutenant colonel; Mr. Joseph Olney, of Gloucester, major.

Kings county, Mr. George Whitman, colonel; Mr. John Willson, Jr., lieutenant colonel; Mr. Elias Thompson, major.

Bristol county, Mr. Shearjashub Bourn, colonel; Mr. Nathaniel Casey, lieutenant colonel; Mr. John Adams, major.

Kent county, Mr. James Wightman, colonel; Mr. John Wells, lieutenant colonel; Mr. Simeon Draper, major.

The Hon. Gideon Wanton, Esq., Edward Thurston, John Jepson, Obadiah Brown, Samuel Chace, James Arnold and Nicholas Easton, Esqs., the grand committee, or trustees of the colony, for signing bills of credit.

And the aforesaid Edward Thurston, is especially appointed to take and have the charge of the colony's mortgages and bonds for tenths, and to receive the money due, and to be due thereon ; and also to make and give proper acquittances and discharges upon the mortgages, or otherwise, when he receives any of the colony's money ; and in case of non-payment, to put in suit the bonds and mortgages of all those that refuse or neglect to make due payment.

Whereas, Col. John Whiting is about to proceed to Fort Stanwix, and it is probable he may enlist some of the forces now there, in the pay of this colony, as regular regiments in North America, agreeably to the request of His Excellency General Amherst,—

It is therefore voted and resolved, that the said John Whiting be, and he is hereby, empowered to enlist the soldiers at Fort Stanwix, in the pay of this colony, as recruits for His Majesty's regular regiments in North America ; and that all such persons as shall be enlisted by him, into the aforesaid service, shall be entitled to, and receive the same bounty, as if they were enlisted in this colony.

Whereas, Mr. Nathaniel Helme, late of South Kingstown, now residing in Newport, preferred a petition, and represented unto this Assembly, that he was keeper of His Majesty's jail in South Kingstown, aforesaid, from the year 1753 to the year 1761 ; that the present war was commenced soon after he became keeper of said jail ; during which, a great number of persons have been committed to said jail, for less sums than he could hold them for, provided they enlisted into the colony's service ; that many persons so committed to jail, did actually enlist into the forces raised by this colony, from time to time, and were taken out of jail without making any satisfaction to him for their board, for the time he was obliged to support them with victuals and drink ; by which means, he hath had

many and heavy losses ; which, together with his other misfortunes (he having one son, about twenty years of age, who hath been a cripple from a child to this day, and not ever been able to do one day's work), hath reduced him so much, that he cannot pay his just debts without converting his real estate into money ; that he hath a good deed of three acres of land, lying at Little Rest, in South Kingstown, aforesaid, about eight rods from the court house, bounded southerly on the highway, with a good dwelling house, a large barn, and a shoemaker's shop thereon standing ; that money is so hard to be raised, that he cannot sell the said estate for but little more than half the value, which will not be sufficient to pay his just debts ; and thereupon, the petitioner prayed this Assembly to grant him liberty to sell the said land and buildings, by a lottery, to be set forth, agreeably to a scheme that shall be agreed upon by the directors, to be appointed by this Assembly ; on consideration whereof,—

It is voted and resolved, that the foregoing petition be, and the same is hereby, granted ; provided no charge accrue to the colony.

It is voted and resolved, that the two Indians now in His Majesty's jail, in Newport, who were brought from the county of Albany, and committed upon an accusation of murder, be sent back under the care of Col. Samuel Rose ; who is hereby directed, upon his arrival at New York, to wait upon Benjamin Pratt, Esq., chief justice of the province of New York, and follow his directions respecting them.

God save the King.

General Amherst to the Governor of Rhode Island.

New York, 7th May, 1762.

Sir :—Since my letter to you, of the 15th of April, in relation to the illicit trade carried on from the several ports on this continent, very full discoveries have been made, by the seizure of the papers of some of the French king's subjects in this city ; who, it appears, had come to this country purposely to establish such a commerce, as might not only supply the enemy's settlements in the West Indies with provisions, but likewise their fleets and armies that might arrive there.

It likewise appears from those papers, that Rhode Island is one of the principal

colonies on which they depend ; and that several of the merchants of Newport, are deeply concerned in this iniquitous trade, which is not only infamous in itself, by supporting the avowed enemies of the King, but occasions great difficulty in procuring the necessary supplies for carrying on His Majesty's service.

I am therefore to desire you will be pleased to cause a general embargo to be immediately laid upon all the ports within your government, except for the transports you employ to bring round the provincial troops. I have made the same application to the governors of Connecticut and Massachusetts Bay, and I see no other way of preventing those, whose sole views seem to be, to get money, without the least regard for the good of their country, from accomplishing their designs ; and I fear that it is but too true, that some have entered into this trade, who, from their connections with the governors, I should have judged it would have been impossible they could have engaged in a commerce so destructive to their country.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Hopkins.

The Governor of Rhode Island to General Amherst.

Newport 10th May, 1762.

Sir :—I take this early opportunity of informing Your Excellency that I have the honor of being appointed Governor of this colony ; and to assure you, that my utmost influence, during my administration, shall be exerted for His Majesty's service.

In consequence of Your Excellency's letter of the 15th April, the General Assembly have directed me to issue a proclamation, prohibiting the exportation of provisions from this colony, agreeably to your request.

By the returns from the several enlisting officers, it appears that the regiment of provincials raising in this colony, is complete, and such of them as have not already embarked, will be sent forward with all despatch.

The General Assembly have empowered Col. Whiting to enlist the company of Rhode Islanders, at Fort Stanwix, as recruits for the regular regiments in America, and have allowed the same encouragement as for those enlisted in this colony.

I am, with great respect, &c., &c.,

S. WARD.

To His Excellency General Amherst.

Letters from General Amherst to the Governor of Rhode Island.

New York, May 11, 1762.

Sir :—Lieut. Col. Hargil, with one hundred and nineteen of the Rhode Islanders, including officers, arrived here a few days ago ; but, as the rest of the detachment intended for immediate service, are not yet come, I must beg you will be pleased, if they are not already sailed, to give orders for forwarding them without delay, as I only wait for their arrival, to make an embarkation.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Honorable Governor Hopkins.

New York, 16th May, 1762.

Sir:—As I flatter myself there is some progress made in the recruiting for the regular corps, I send Lieut. Newland, of Gage's regiment, to receive and review the recruits, with directions to send them round to this place, in sloops, by the first opportunities, under the care of such officers as you keep for the recruiting service, who shall afterwards join their regiment.

Lieut. Newland is furnished with money to pay the rewards and bounties promised to the officers and men; but as I am sure it will be better for the latter not to receive their further bounty, until they arrive here, and that it will likewise prevent desertion, I am hopeful they will agree thereto; and I have only to request you will be pleased to forward this service, as much as in your power; and that you will give directions for exchanging such men as Lieut. Newland may reject, with those that are fit for the service.

The last part of the detachment of Rhode Islanders, intended for immediate service, arrived here a few days ago, and they have only lost one man, since they came; but in the first detachment, under Lieut. Col. Hargil, there were a good many boys, hardly able to carry arms.

I had written thus far, intending it for Governor Hopkins, when I received your letter of the 10th May, informing me of your being appointed Governor of the colony of Rhode Island, on which I beg leave to congratulate you.

I am extremely glad to hear that the provincial regiment is full; and I beg no time may be lost, in ordering them to Albany. You will however please to keep such officers as you think proper, for recruiting the men for the regular corps, who shall, as I have already observed, join their companies hereafter.

I shall be very glad to find that Col. Whiting succeeds in enlisting the company now at Fort Stanwix, for the regular service; but their number comes greatly short of the quota demanded; and by the reports I have had from the commanding officer, several of them have already deserted; and the rest, on pretence of their time of service being expired, are so mutinous, that the commanding officer is obliged to keep them within the fort; but I hope the orders you will have sent by Col. Whiting, will have entirely satisfied them.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward, Newport.

The Governor of Rhode Island to General Amherst.

Newport, 24th May, 1762.

Sir:—Your Excellency's letter of the 7th instant, I received the 20th, at my own house, in Westerly, about thirty miles from Newport; on which, I immediately came to town, assembled the Council the next day, and laid a general embargo up. on all vessels in any of the ports in this colony, excepting the transports, privateers, fishing and wood vessels.

I shall be very sorry if any of the enemy's fleets and armies should receive a supply of provisions from any of the King's subjects; and more especially, if any persons in this colony should be concerned in a commerce so injurious to their country at this critical juncture. But whatever a few individuals may do, I can assure Your Excellency that the people of this colony, in general, are very far

from countenancing any measures which have the least tendency to obstruct His Majesty's service, or support his enemies.

Yesterday I received your letter of 16th May, by Lieut. Newland, and heartily wish I could give you an agreeable account of our success in raising recruits for the regular corps; but notwithstanding the government, upon your request, ordered the same bounty as to the provincials, and appointed proper enlisting officers, yet, there has no progress been made in this service.

Probably this deficiency is owing to the great scarcity of men in the colony, occasioned by our raising so large a number of troops annually, and by the sailors engaging in privateering; which, since the Spanish war, is carried on with more spirit than before; but every thing proper, in my power, shall be done to forward this service.

I have already given orders for the embarkation of the remainder of our provincial regiment; and part of them are already embarked, and the remainder will embark this week; and as other persons were appointed to recruit for the regular corps, I have not kept any provincial officers for that service.

I am, sir, &c., &c.,

S. WARD.

To His Excellency Gen. Amherst.

General Amherst to the Governor of Rhode Island.

New York, 30th May, 1762.

Sir:—I am to own the favor of your letter of the 21st instant, which I received last night; and am much obliged to you for your ready compliance with my request in laying a general embargo on all the ports within your colony. This is a measure absolutely necessary, as I have repeated advice of schemes of a very extensive nature, having been formed for supplying the enemy with provisions from this continent; and I must beg you will be pleased to continue the embargo in Rhode Island for some time longer.

I am very sorry to hear there is so little progress made in the recruiting for the regulars; I am hopeful the persons you have employed for the service, will exert themselves; and that I shall have the pleasure of learning soon of their meeting with better success than you seem to expect.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1762.

The Hon. Samuel Ward, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that the committee of war be, and they are hereby, directed and fully empowered to send the two deserters now in His Majesty's jail at Newport, and all other deserters that shall be apprehended, to New York, to His Excellency Sir Jeffrey Amherst, or in his absence, to the commanding officer of His Majesty's forces in New York.

Whereas, Capt. Edward Wells, Jr., of Hopkinton, preferred a petition, and represented unto this Assembly, that he hath lost large sums of money at sea, by the enemy's taking his vessels ; that he hath also been concerned in joint trade with a man of merit and capacity, who, by reason of his great losses and misfortunes, now declares himself to be a bankrupt ; and that he, the petitioner, is like to be ruined thereby ; that by reason thereof, he cannot pay all his just debts, and those of his partner, without the assistance of this Assembly ; that he hath a considerable quantity of goods by him, which he cannot sell for ready money, and proposes to dispose of the same at cash price, by a lottery ; that he hath a large acquaintance, as well as trade, in New York and Connecticut, who (he trusts) will take off his tickets ; and many friends and acquaintance in this colony, who will cheerfully become adventurers in a lottery, to contribute to his relief, and enable him to pay his just debts ; and thereupon, the said Edward Wells prayed this Assembly, to grant him a lottery, to raise the sum of £10,000 ; and the said petition being duly considered,—

It is voted and resolved, that the prayer of said Edward Wells, therein contained, be, and the same is hereby, granted.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write to the agent, and press him strenuously to solicit for this colony's part of the grant of the crown to this colony, for the year 1756; and that His Honor be also requested to write, first to Capt. Joseph Harrison, and procure from him the best information he can, respecting the said grant.

Whereas, Mr. Thomas Sisson preferred a petition, and represented unto this Assembly, that the boundary line between the Province of the Massachusetts Bay and this colony, takes the house he dwells in within the colony line; and that consequently, he is an inhabitant of the town of Tiverton; that nevertheless, he is refused and debarred the liberty of voting in said town; and thereupon, he prayed this Assembly, to take the affair under consideration, and determine whether he is an inhabitant of the said town of Tiverton, (as he supposes himself to be) or not.

And the said petition being duly considered, it appears to this Assembly, that the house of said Thomas Sisson, in which he now lives, is within the bounds of the town of Tiverton;—

And it is therefore voted and resolved, that he, the said Thomas Sisson, be, and he is hereby, determined and allowed to be an inhabitant of the said town of Tiverton.

It is voted and resolved, that Edward Scott and Augustus Johnston, Esqs., and the secretary, be, and they are hereby, appointed a committee to take into consideration all the laws of this government respecting the admission of freemen, and the method of voting for general officers; that they reduce them all to one law, make such alterations and additions as they shall think conducive to the public interest, and lay the same before this Assembly, at the next session.

It is voted and resolved, that all the billeting rolls for the years 1757, 1761 and 1762, be delivered to His Honor the Governor; and that His Honor the Governor be, and he is hereby, requested to receive the same, and cause them to be put in proper order, and forward them to His Excellency Sir Jeffrey Amherst, as soon as possible, in order for payment.

Whereas, a great number of persons have been admitted freemen of the several towns in this colony, and have been returned as such to the General Assembly, at the session held on the first Wednesday in May, 1761, and at the last session, and the same have not as yet been taken into consideration; in order to render this Assembly better able to judge of the qualifications of the aforesaid persons, and to prevent such from being admitted as freemen who are not duly qualified,—

It is voted and resolved, that each town clerk in this colony make out and transmit to this Assembly at the next session, a certificate of the qualifications of all the afore mentioned persons who were admitted free in the town where he lives, by certifying the whole of the real estate he is possessed of in said town, at the time the said certificate shall be given, together with the eldest sons of such free holders as now stand free of this colony; and that if any town clerk shall neglect his duty herein, he shall forfeit and pay as a fine, the sum of £50, old tenor, to and for the use of the colony, to be recovered by the general treasurer, by an action of the case in any court of record, in this colony.

God save the King.

General Amherst to the Governor of Rhode Island.

New York, 13th June, 1762.

Sir:—As I have received advice of a quantity of provisions coming out from England, which I hope will arrive safe, and that I have nearly completed the tonnage of vessels which I want for the transport service, I take the earliest opportunity of acquainting you, that I intend, for the convenience of the merchants on this continent, to free the several ports from the restrictions that have been laid on them, in consequence of my request to prevent the exportation of provisions; and I trust that no more attempts will be made to supply the enemy, or carry on the illicit trade that has been so lately detected.

You will, therefore, be pleased to give the necessary directions for taking off the embargo that has been laid in your colony; and I flatter myself that I shall have no further reason to apply to you on the subject which occasioned me to desire that measure to be put in execution.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

The Governor of Rhode Island to Joseph Harrison.

Newport, 22d June, 1762.

Sir:—At the request of the General Assembly of this colony, I have now the pleasure of writing to you on the subject of the money expected by us from the crown, for provisions, &c., in 1756.

Our agent writes us that the lords of the treasury would not consent to his making application to Parliament for it; upon which the government have desired me to write to the lords of trade and plantations, to request their lordships' recommendation of the matter to His Majesty. But as you are well acquainted with the affair, and have already been kind enough to interest yourself in it, in behalf of the colony, they have desired me to apply to you, for your assistance; and I shall take your sending me, by first post, a full account of the affair, with your advice upon it, as a particular favor, done both to the colony and myself.

I am, sir, with very great regard, &c., &c.,

SAM. WARD.

To Joseph Harrison, Esq.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the fourth Monday in August, 1762.

The Hon. Samuel Ward, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that the sheriff of the county of Newport, be, and he is hereby, empowered to draw money out of the general treasury, and pay off all such reasonable charges which have arisen to the colony, by means of a number of seamen lately belonging to His Majesty's ship, the Hussar, (which was cast away on the island of Hispaniola,) and were brought to Newport, in a flag of truce; that those two of the said men, who are in jail at Newport, be sent by the said sheriff, to His Excellency Sir Jeffrey Amherst, at New York, by the first opportunity; and that he make report to this Assembly, at the next session.

It is voted and resolved, that every one of the committee of war, be, and they are hereby directed, to lay before the Gen-

eral Assembly, at the next session, all the muster rolls of the soldiers raised in this colony for the last expedition.

And it is further voted and resolved, that the committees appointed to audit the accounts of the committee of war, be continued for that purpose ; and that they make report, agreeably to law, to this Assembly, at this or the next session.

And it is further voted and resolved, that no member of the committee of war draw any more money out of the general treasury until his accounts be settled and a balance be found due to him.

An Act to prevent stage plays, and other theatrical entertainments, within this colony.

For preventing and avoiding the many mischiefs which arise from public stage plays, interludes, and other theatrical entertainments, which not only occasion great and unnecessary expenses, and discourage industry and frugality, but likewise tend generally to increase immorality, impiety and contempt of religion,—

Be it therefore enacted by this General Assembly, and by the authority thereof, it is enacted, that immediately from and after the publication of this act, no person or persons, whosoever, shall or may, for his or their gain, or any price or valuable consideration, by or under any pretence whatsoever, let, or suffer to be used or improved, any house, room, or place whatsoever, in this colony, acting or carrying on any stage plays, interludes, or other theatrical entertainments, on pain of forfeiting and paying, for each and every day or time such house, or room, or place shall be let, used, or improved, contrary to the true intent and meaning of this act, £50, lawful money.

[The remainder of this act is omitted.]

And whereas, by a petition preferred to this Assembly, by a number of the inhabitants of the county of Providence, setting forth that a number of stage players have lately appeared, and a play house hath lately been built, in said town of Providence ; that the inhabitants of said town, being legally called by warrant, did, at their late town meeting, by a great ma-

jority, pass a vote that no stage plays be acted in said town ; yet the actors thereof, in defiance of said vote, and in defiance of the public authority of said town, have been, and are now, daily continuing to exhibit stage plays, and other theatrical performances ;—

Be it therefore further enacted by the authority aforesaid, that in order more speedily to cause this act to be proclaimed where those persons may have the earliest notice thereof, that His Honor the Governor be, and he is hereby, requested to issue a warrant, directed to a proper officer or officers, in said county of Providence, directing him or them, forthwith, on sight and receipt thereof, to immediately proclaim the aforesaid act, by beat of drum, through the streets of the compact part of said town of Providence ; any law, custom, or usage to the contrary hereof, in any wise, notwithstanding.

Whereas, several of the inhabitants of the town of Newport, preferred a petition, and represented unto this Assembly, that the said town, in June last, ordered a rate of £12,000 to be made, to pay off the debts of the town ; that the rate-makers of the said town, did accordingly assess the said rate, and deliver a bill in to have it collected ; that the said bill, in the opinion of the petitioners, is very unequally proportioned, and that upwards of one hundred persons are not rated therein, many of whom, are freeholders and freemen of the town ; and that from so great a number of persons being omitted, and comparing the sums against the names of those who are rated, they have the highest reason to think that the said rate is assessed in a very negligent, careless, or partial manner ; and thereupon, the petitioners prayed this Assembly to pass an act, making void said rate, &c. ; on consideration whereof,—

It is voted and resolved, that the town of Newport be, and hereby is, directed and fully empowered to choose two or more rate-makers, to join with those already chosen ; that they, or the major part of them, be, and they are hereby, directed to examine, correct and amend the afore mentioned rate, as soon as may be ; that if it shall appear, that the rates of those who have already paid, are too much or too little, that the collector

pay the overplus or receive what shall be wanting ; and that if any more rates be ordered before the next town election, that those who shall be chosen, by virtue of this act, and those already chosen, or the major part of them, shall proportion the same.

It is voted and resolved, that His Honor the Governor, be, and he is hereby, requested to write to His Excellency General Amherst, and inform him, that the billeting rolls for the year 1757, were presented to him, about a year and a half ago, by Col. Babcock, who informed the government they were not paid, by reason of some mistake in drawing them, which is now corrected ; and also to desire His Excellency to give orders for the payment of the said rolls ; and to request him, in case he shall decline paying them, to give a certificate thereof, and to inform the government where to apply for payment of the same.

Whereas, the General Assembly, at the session held at Newport, on the second Monday in June last, appointed Daniel Jenckes, Esq. and Mr. William Wheaton, a committee to complete the outside of the court house, in Providence, so far as to keep it from taking damage, lay the floors, build the stairs, and complete two rooms in the chamber, suitable for the General Assembly to sit in ; and empowered the said committee to draw out of the general treasury the sum of £10,000, for that purpose,—

It is voted and resolved, that the above mentioned work be completed in such manner, that the said £10,000 will be sufficient to do the same.

It is voted and resolved, that the general treasurer be, and he is hereby, directed to improve the money which Mr. Nathaniel Mumford received of His Excellency General Amherst, and hath lodged in the treasury, in paying off the silver money judgments and bonds, due from the colony to particular persons ; and also, in discharging all such Crown Point bills and notes as are yet outstanding ; and that George Hazard, Esq. and Mr. Edward Thurston, Jr., be, and they are hereby,

appointed a committee to burn all the Crown Point notes which have been paid, and are now lodged in the general treasury.

And it is further voted and resolved, that all persons who have in their hands any of the lawful money bills, emitted in February and August, A. D. 1756, and in June, A. D. 1759, forthwith bring the same to the general treasurer, in order to be redeemed with silver and gold; and that all persons who shall neglect to bring into the general treasury such Crown Point bills and notes, and lawful money bills, emitted in February and August, A. D. 1756, and June, A. D. 1759, in their hands, within six months, from and after the rising of this Assembly, shall lose the benefit of having them exchanged; and that the general treasurer be, and he is hereby, directed to give public notice thereof, in the Newport Mercury, three weeks successively.

It is voted and resolved, that William Read, captain of Fort George, be, and he is hereby, directed and fully empowered to enlist six good men, upon the best terms he can, to serve as soldiers at said fort, during the pleasure of the General Assembly.

Whereas, His Honor the Deputy Governor, Edward Scott and George Hazard, Esqs., and Messrs. Walter Cranston and William Richardson, who were appointed a committee, to examine how much of all sorts of money hath been emitted upon the faith and credit of the government, presented unto this Assembly the following report, to wit:

Report of the Committee appointed to examine into the amount of the bills of credit issued by the colony.

We, the subscribers, being appointed by the General Assembly, a committee, to examine how much of all sorts of bills hath been emitted upon the faith and credit of the government, do report:

That of the several emissions preceding the 27th day of February, 1749, there was outstanding at that time (as appears by a report then made to the General Assembly, a copy of which is herewith presented), the sum of £135,335 13s. 1d.

That it appears, by a report made to the General Assembly, in June, 1751, there was burnt of bills of credit, received for bills of exchange sold, the sum of £24,280 2s., old tenor.

That in October, 1754, the General Assembly ordered a rate for £35,000, old tenor; £10,000 of which, they appropriated for Fort George, and the remainder to sinking the colony's outstanding bills of credit, made to supply the treasury; but there was only £13,792 applied to the sinking of the said bills; £11,208, collected by that rate, was exchanged for Crown Point bills, which were burnt, as appears by a report made to the Assembly, in August, 1756.

In October, 1755, the General Assembly passed an act for a tax of £70,000, old tenor; and ordered that £40,000, thereof, should be appropriated towards sinking the colony's outstanding bills of credit, made and emitted to supply the general treasury, for defraying the charge of the then present expedition; and the remaining £30,000 towards sinking the outstanding bills of credit, made and emitted to supply the treasury, for defraying the charge of former expeditions; but by an act passed in February, following, the whole of that tax or rate was appropriated towards sinking the bills emitted for carrying on the expedition against Crown Point.

In November, 1756, there was burnt in old tenor bills, collected by the said tax, the sum of £52,271 17s. 5d.; of which, there was in Crown Point money, £18,430 3s.; the remainder of the sum then burnt, amounting to £33,841 14s. 5d., was, by order of Assembly, taken out of the grand committee's office, and placed in the general treasury.

However, it appears, by a report made to the General Assembly, in February, 1758, that there was burnt £3,575 15s. 11d., old tenor, part of this rate made in 1755.

The three sums placed on the credit side of the account, amounting to £41,647 17s. 11d., being deducted from the sum outstanding the 27th February, 1749, there remains £93,687 15s. 2d., old tenor, which is now outstanding in old, or rather new tenor bills, emitted upon the faith and credit of the government,

There was emitted at the several times in the year 1755, noted on the debt side of the account, the sum of £240,000 old tenor, in bills called Crown Point money, of which, as appears by the several reports made to the General Assembly, held at the times noted on the credit side, and by receipts given to the late general treasurer, Thomas Richardson, Esq., and to his executor, Mr. William Richardson, (copies of which receipts, we herewith present,) there hath been burnt the sum of £236,678 3s.

We think it proper to mention, that the Crown Point bills first placed in the account as burnt, were burnt at two several times; first, £7,000, and afterwards, the £11,208, above mentioned; and that there was presented to the General Assembly, held in September, 1757, a report, dated May 27th, 1757, in which the committee who made that report, say, they had received and burnt £11,053 1s., Crown Point money; but as we believe that sum was included in the receipt dated June 2d, 1757, we have not placed it in the account.

In the year 1756, there was emitted in bills called lawful money, the sum of £14,000; whereof, £8,000, was in bills dated in February, 1756, and £6,000, in bills dated in August, 1756.

There was burnt of these lawful money bills, the sum of £4,000, as appears by a report made to the General Assembly, held the 14th of February, 1758; and the sum of £3,764 19s. 8d., in bills emitted in February, 1756, as appears by a receipt (a copy of which, we herewith present), given to the before mentioned general treasurer; there was also burnt the sum of £235 4d., lawful money, emitted in February, 1756, as appears by a report made to the General Assembly, held in

June, 1759, which the committee that burnt it, say, is in full for said money ; it is in full for £8,000 ; but through inadvertence, the committee burnt some of the bills dated in August, instead of those dated in February ; some of the latter being still extant.

By the last mentioned report, it appears that the committee had burnt £5,605 19s., August lawful money ; and by a receipt, dated February 9th, 1761, given to the aforesaid late general treasurer, it appears that the committee had received of him, and burnt, £312 0s. 3d., August lawful money ; and by another receipt, dated May 29th, 1761, given to Mr. William Richardson, (a copy of both which receipts we herewith present,) it appears they had received of him, and burnt, £5 5s. 6d., of said lawful money. The three sums of money last mentioned, together with £76 15s. 4d., lawful money, in gold, delivered by the said William Richardson, to the present general treasurer, Joseph Clarke, Esq., amount to £6,000 0s. 1d., and will, when the said gold is exchanged, complete the sinking of the whole £14,000, above mentioned.

In May, 1658, there was emitted £10,000, lawful money, in bills carrying an interest of five cent. per annum ; and in pursuance of acts of Assembly, there have been several emissions since, of the like sort of bills, at the times noted on the debt side of the account, amounting, with the aforesaid emission in May, to the sum of £76,909 5s. 8d., lawful money ; of which, there hath been burnt £3,686 10s., in bills dated June 23d, 1759, and £6,819 10s. 9d., in bills dated May 8th, 1758 ; both sums, exclusive of interest on the bills, as appears by a report made to the General Assembly, in May last past.

The general treasurer hath informed us that he hath in his hands, the sum of £62 4s. 6d., in May bills, 1758 ; and the sum of £101, in June bills, 1759 ; and gold sufficient to redeem the remainder of the said June bills still outstanding.

We submit this report to the Honorable General Assembly, and are their most humble servants.

JOHN GARDNER,
EDWARD SCOTT,
GEORGE HAZARD,

WALTER CRANSTON,
WILLIAM RICHARDSON.

Newport, August 18th, 1762.

It is voted and resolved, that the sheriff of the county of Newport, be, and he is hereby, directed and fully empowered to take up all those persons yet remaining in this colony, who belonged to His Majesty's ship Hussar, at the time the said ship was cast away upon the island of Hispaniola, and were lately brought to Newport, in a flag of truce, and send them, as fast as taken up, to His Excellency General Amherst, at New York ; and that His Honor the Governor be, and he is hereby, requested to issue a proclamation, commanding all officers, both civil and military, in this colony, to use their utmost endeavors to apprehend all the afore mentioned persons, and send them to the sheriff of the county of Newport, in order to be transported to New York, as aforesaid,

An Act empowering the general treasurer to dispose of £8,000, sterling, being part of the money granted by the crown to the colonies, for reimbursing them the charges which arose on raising forces for the expedition in the year 1760.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested and empowered to give out beating orders to such persons as he shall think proper, to enlist as many good and effective men as they can, as recruits for the regular regiments, agreeably to the request of His Excellency General Amherst; that such persons who shall be appointed to enlist said men, as aforesaid, shall apply to either of their Honors the Governor or Deputy Governor, or to either of the members of the committee of war, who reside in Newport, for money, to pay the bounty and billeting of such persons as shall be enlisted, as aforesaid; and that their Honors the Governor and Deputy Governor, and the members of the committee of war who reside in Newport, or either of them, be, and they are hereby, empowered to draw out of the lawful money emitted in the year 1760, now in the general treasury, such sums as shall be sufficient for the purpose, aforesaid.

And it is further voted and resolved, that no bounty nor billeting shall be paid to any person who shall be enlisted, as aforesaid, until he pass muster, and be approved of by the officer appointed by His Excellency General Amherst, to examine and approve of such as shall be enlisted for the aforesaid service.

And it is further voted and resolved, that His Honor the Governor be, and he is hereby, requested to issue a proclamation agreeably to this act.

Whereas, His Excellency General Amherst, by his letter of the 4th of this instant August, hath requested, that a company, consisting of sixty-four men and two officers, now in the service of this colony, may be retained therein during the winter,—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that a company of sixty-

four men, and two officers, of the regiment now in the service of this colony, at Fort Stanwix, be retained there, until the 1st day of July next.

And be it further enacted by the authority aforesaid, that every soldier who shall enlist into said company, shall be entitled to the same wages as is now allowed him ; and shall also receive, as a gratuity, over and above his wages, the sum of \$10, one half whereof, to be paid him in the colony's clothing, now in the camp, and the other half in cash.

And be it further enacted by the authority aforesaid, that George Cornell be, and he is hereby, appointed to command the said company ; and also directed, and fully empowered to enlist the same ; and that Col. Samuel Rose appoint the other officer to the said company, out of the first or second lieutenants, or ensigns, in the regiment ; giving the preference to the officer of the highest rank.

And be it further enacted by the authority aforesaid, that the commanding officer of the said company, shall be entitled to the same wages as are now allowed to a captain in the service of this colony, and the other officer to the same wages as are now allowed to a first lieutenant.

And be it further enacted by the authority aforesaid, that the remaining part of the regiment be transported by water from Albany ; and that the committee of war procure proper vessels for that purpose, in due season ; and that if any person, belonging to the regiment, shall come home by land, it shall be at his own expense.

And be it further enacted by the authority aforesaid, that the committee of war send a copy of this act to Col. Rose, at the camp.

God save the King.

General Amherst to the Governor of Rhode Island.

New York, 4th August, 1762.

Sir:—The great and important services on which His Majesty's regular troops are now employed, and the uncertainty of their return, rendering it absolutely necessary that provision should be made in time for garrisoning the several posts on this continent, during the winter, I must request you will take the earliest opportunity of moving your Assembly to provide for continuing in pay the same number of troops that remained during the last winter, viz. :

One company, consisting of a captain, subaltern and sixty-four men ; and that you will be pleased to enforce the necessity of complying with this requisition, with such arguments as your zeal for His Majesty's honor, and the good of these colonies, will naturally suggest to you.

I must observe, that the sooner the necessary provision is made, and the orders given for enlisting the men, the service will reap the greater advantages ; and I shall be the better enabled to send home the others, who are not to remain, before the rigorous season sets in.

In the above numbers, no part of the detachment on the expedition is to be reckoned ; as I make no doubt but the service will admit of their return before the expiration of their time ; and what I now require, is entirely for the protection of the frontiers, and keeping up the necessary communication through the country.

I cannot help taking notice, on this occasion, how little has been done by the colony of Rhode Island, towards raising the recruits for the regular corps ; which measure, if heartily entered into by all the colonies, might have been a great means of not only enabling His Majesty to push the war with more vigor, but would, in the end, have eased the provinces perhaps of part of this very expense that I am now obliged to put them to.

The backwardness discovered in your colony, in this particular, I must own, in my opinion, cannot fail of incurring His Majesty's displeasure ; and therefore I would fain flatter myself, that some effectual methods will yet be fallen upon, for complying with the King's demands, and furnishing the quota required.

If it was necessary when first made, of which there can be no doubt, it is certainly much more so now, that so many of the regiments, who are on actual service, must necessarily be thinned by the chance of war, and the change of the climate, where they are employed ; and I must add, that the non-compliance of your colony, and of some of the other provinces, in furnishing the quota required, will, I fear, not only retard, but obstruct the future operations which were intended to be carried on in these parts, for distressing the enemy, so as to reduce them to accept of a peace, glorious to His Majesty's arms, and advantageous to his subjects in general.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

The Governor of Rhode Island to the Earl of Egremont.

Newport, on Rhode Island, 6th August, 1762.

My Lord:—Having the honor to be chosen Governor of this colony, I think it my duty to acquaint Your Lordship with it, and to assure Your Lordship of my

fidelity and attachment to His Majesty, and my zeal for his royal service, which will always excite me to execute such of His Majesty's commands as I may have the honor of receiving, with the utmost readiness and faithfulness.

My predecessor had the honor of two letters from Your Lordship, dated 12th December, 1761, one, respecting the raising the same number of provincials as were raised last year; and the other, the raising some recruits for the regular corps.

In consequence of the former, the government immediately voted the full number of men required, being six hundred and sixty-six; and it gives me a very sensible pleasure, to acquaint Your Lordship that the whole number, excepting about fifteen or twenty, were very early enlisted, and seasonably arrived at the places of destination appointed by General Amherst, excepting a few sick and deserted.

In compliance with Your Lordship's other letter, the Assembly very readily voted the number of recruits for the regular regiments which General Amherst required, gave them a large bounty, and appointed persons in different parts of the colony to enlist them; but, notwithstanding these measures, there is so great a scarcity of men, occasioned by the provincial levies, and a spirit of privateering, which prevails much since the Spanish war, that the success has not yet answered our expectations; but as all proper measures will be still pursued, I hope we shall soon make a greater progress in this service; and as the government, from a just and grateful sense of His Majesty's paternal care and tenderness for all his subjects, and a true spirit of loyalty and duty, have, to the utmost of their power, complied with all His Majesty's commands, we humbly hope our endeavors for his royal service, will be graciously accepted.

I have nothing, My Lord, to add, but my sincerest prayers that the Almighty may so prosper His Majesty's arms, that all his enemies may soon be compelled to submit to an equitable and honorable peace.

I am, with the greatest respect, &c., &c.,

S. WARD.

To the Right Honorable Earl of Egremont.

Gen. Amherst to the Governor of Rhode Island.

New York, 22d August, 1762.

Sir:—Lieut. Ged, of His Majesty's ship *Intrepide*, arrived here two days ago, and delivered me a letter from Mr. Ward, the secretary of Rhode Island, written in your Assembly, by order of the Deputy Governor, and several members of the General absence, acquainting me of the steps taken by them for re-enlisting the men lately belonging to the *Hussar* frigate, which was unfortunately lost upon *Hispaniola*, and that had been brought in a flag of truce to Newport.

It was very commendable in the gentlemen of the Council to provide for these men on their arrival at Rhode Island; but as they as much belong to the King's service as before the *Hussar* was lost, there was no necessity for re-enlisting them, and I was greatly surprised to find, by a list delivered in to me of the names of the men, that of forty-nine that came in the flag of truce, only twenty-five arrived here with Lieut. Ged; the rest, it seems, having remained at Newport, and are suffered to go about there in other employments.

I have, upon this occasion, ordered an advertisement to be inserted in the papers, of which the enclosed is a copy; and I likewise transmit you a list of the men that have arrived here, as well as those that remain in your colony; and must

desire you will be pleased to give the necessary directions for recovering the latter, and order them to be sent to this place by the first opportunity, that they may be employed in the King's service, to which they certainly belong, or they must expect to be treated as deserters; and, if taken, punished accordingly.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

General Amherst to the Governor of Rhode Island.

New York, August 30, 1762.

Sir:—Having received intelligence that the enemy at Newfoundland, have sent a double decked schooner, commanded by an Irishman, whose name is not known, to some port of this continent, for a cargo of flour, I think it necessary to give you notice thereof, that you may take the proper measures for seizing the said vessel and crew, if she comes into any of the ports in your government.

There is another Irishman on board, whose name is Casey, who has a bill of sale of the vessel, and is employed by the French to get the flour. By this, perhaps, the vessel may be discovered.

I am, with great regard, &c. &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the 21st day of September, 1762.

The Hon. Samuel Ward, Governor.

The Hon. John Gardner, Deputy Governor.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that for the future, every such member of the General Assembly, who shall not attend upon the first day of the session, shall forfeit and pay, as a fine, for the use of the house to which he belongs, the sum of £4, for every day's non-attendance, unless a reasonable excuse be made to the satisfaction of the house to which such member belongs.

And be it further enacted by the authority aforesaid, that a certificate from the clerk of the lower house, to the secretary

of the absence of any members of the lower house, shall be sufficient authority for the secretary to issue execution against such members ; and that the secretary keep an account of the members of the upper house, and issue execution, as aforesaid, against the delinquent members.

And be it further enacted by the authority aforesaid, that an act passed at the session of the General Assembly, which was held in February, 1757, laying a fine of £10, upon the members of the upper house, for non-attendance, be, and the same is hereby, repealed.

It is voted and resolved, that for the future, all the muster rolls and billeting rolls of the forces raised, and that shall be raised in the colony, shall be drawn, and such copies thereof as the government shall have occasion of, shall be made by the committee of war, or at their expense ; and be by them, delivered to His Honor the Governor ; and that as often as any forces shall hereafter be raised in this colony, for His Majesty's service, the committee of war shall have all the muster rolls and billeting rolls of such forces, drawn out fairly, and deliver the same to His Honor the Governor, at the time of the marching, or embarkation of said forces.

It is voted and resolved, that Edward Scott, Esq., Mr. Martin Howard and the secretary, be, and they are hereby, appointed a committee to revise the laws of this colony ; and that they, or the major part of them, perform the said business as soon as may be, in order to be put in print.

It is voted and resolved, that each, and every member of the committee of war, be, and he is hereby, empowered and directed to apprehend all persons who have enlisted into the forces, raised by this colony, during the present war, and have deserted the service.

And it is further voted and resolved, that if any person who hath deserted, shall, within thirty days after the rising of this Assembly, deliver himself up to some one of the committee of war, and shall refund the money advanced him, together with all the charges, of every nature and kind whatever, that the colony hath been put to on his account, the member of the

committee of war, to whom he shall deliver himself up, shall receive the same, and give him a proper discharge from the colony's service ; which discharge shall indemnify him against all further prosecution, upon account of his desertion ; and that all deserters, who shall not deliver themselves up, and repay the colony, as aforesaid, shall be committed to His Majesty's jail in any county in this colony, and there remain until an opportunity offers of transporting them to New York, to be disposed of according to the directions that shall be given by His Excellency General Amherst, either as a recruit for the regular corps, or to be sent to Fort Stanwix, to receive such punishment as may be inflicted, according to the discipline of the army, and to remain in the colony's service until discharged from the same.

And it is further voted and resolved, that the committee of war, from time to time make report to the General Assembly, of all the deserters that shall be apprehended, or deliver themselves up, and such as they shall discharge ; and the committee of war shall be accountable for all the monies they shall receive, as aforesaid ; and that the several members of the said committee of war put up notifications, in every town in the several counties where they respectively dwell, inserting therein the substance of this act.

An Act for supplying the general treasury with the sum of £8,000, lawful money, by levying a tax upon the inhabitants of this colony ; and also, with the sum £4,000, lawful money, to be forthwith emitted ; for paying off the officers and soldiers, in the service of this colony, upon their return from the present campaign.

Whereas, there are at present two public seals in this colony, one of which is badly cut, and the other very much defaced,—

It is therefore voted and resolved, that the secretary be, and he is hereby empowered to break the said seals, and improve

the same, in procuring a new seal, to be made for the use of the colony, of the same form with the old seals; and that what the said new seal shall cost, more than the value of the old ones, shall be paid out of the general treasury.

It is voted and resolved, that the general treasurer be, and he is hereby, directed not to deliver out to the committee of war, any of the £4,000, lawful money, ordered to be emitted at this session, until after the next session of Assembly; and that each member of the committee of war lay before this Assembly, at the next session, an account of the number of forces he had the care of fitting out, and sending away, on the last campaign.

God save the King.

The Governor of Rhode Island to General Amherst.

Newport, Rhode Island, September 6, 1762.

Sir:—I have lately had the honor of receiving two letters from Your Excellency; one, bearing date the 4th, and the other, the 22d August last.

Upon my laying the first before the General Assembly, they, notwithstanding the truly distressed circumstances of this colony, very readily voted the company of sixty-four men, agreeably to Your Excellency's request, and ordered the same bounty as was given last year. Capt. George Cornell, who is charged with this letter, is appointed captain of this company, and Col. Rose is empowered to appoint a subaltern.

As Capt. Cornell is going immediately to the regiment, and I have written Col. Rose to do every thing in his power to forward this service, I hope the company will be seasonably enlisted, and that Your Excellency will be able to dismiss the remaining part of the regiment very soon; this, at the same time that it saves the government a considerable expense, will conduce much to the preservation of the mens' health, by preventing their being exposed to the rigorous season, which usually sets in late in the fall.

It gives me the deepest concern that Your Excellency should imagine there is any backwardness in this government in raising the recruits for the regulars, and should be of opinion that this colony is in danger of incurring His Majesty's displeasure; but when Your Excellency considers that the number of men required, and the bounty proposed by Your Excellency were both readily voted, and persons appointed in each county to enlist the men, I cannot but flatter myself that Your Excellency will be convinced that the government hath discovered the greatest readiness to promote His Majesty's service in this, as well as other instances; and that Your Excellency will be kind enough to represent the colony's conduct in this matter, in the most favorable light.

Last week I issued a proclamation for forwarding this service. This day, Lieut. Newland hath applied to me for blank enlisting orders, which he will deliver to such persons as he shall prevail upon to exert themselves in getting men. Tomorrow I shall cause them to be made out; and Your Excellency may depend upon my utmost endeavors to promote this important service.

In consequence of Your Excellency's other letter, relating to the seamen lately belonging to the Hussar frigate, I immediately gave the necessary orders for apprehending and sending them to New York.

Mr. Nathaniel Mumford, who waited on Your Excellency with the billeting rolls for 1757, '61 and '62, returned without receiving any money for the billeting in 1757; and reported to the government, that as your command in America did not commence till after that year, you had no knowledge of the affair. Upon which, the General Assembly have desired me to acquaint Your Excellency that about a year and a half ago, Col. Babcock presented these rolls for 1757, who informed the government the reason why they were not paid, was because there was some mistake in drawing them. Since that time, they have been corrected, duly examined and properly attested,

I now enclose them to Your Excellency, and desire you to give directions that this money be paid to such persons as the government shall appoint to receive it; but if any thing (contrary to the expectation of the government) should prevent the payment of the money, I must ask the favor of Your Excellency's advice where and in what manner to apply to receive it.

I am very sorry that I am obliged to write to Your Excellency a second time on this subject; but the vigorous efforts made by this colony, for His Majesty's service, have been attended with such vast expenses, that the government is under the greatest necessity of pressing for such allowances as His Majesty has graciously been pleased to make to the colonies; and I doubt not but Your Excellency will very readily give the necessary orders for payment of the money.

I am, with the greatest regard, &c., &c.,

SAM. WARD.

To His Excellency General Amherst.

P. S. Since writing the above, I received Your Excellency's letter, respecting a vessel bound to the continent, with the design to purchase provisions for the use of the enemy, and immediately took the necessary steps to seize her, if she should arrive in any port in this colony.

General Amherst to the Governor of Rhode Island.

New York, 6th September, 1762.

Sir:—'Tis with the highest joy and satisfaction, that I can inform you of the reduction of the Havannah; having received letters from My Lord Albemarle, by the Enterprize man of war, which arrived here, at two o'clock, this morning.

His Lordship acquaints me that the Moro fort was taken by storm, on the 30th July, very much to the honor and credit of the troops; and on the 13th August, the Havannah, with its dependencies, surrendered, by capitulation, and is now added to His Majesty's conquests.

The fatigues the troops have undergone during a long siege, are not be de-

scribed; and the spirit and resolution with which they have carried on the different operations in that climate, are not to be equalled.

It gives me a particular satisfaction that the troops furnished, on this occasion, by your colony, arrived in time, to partake of the honors reaped by so noble a conquest.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

General Amherst to the Governor of Rhode Island.

New York, 15th September, 1762.

Sir:—I am to own the favor of your letter of the 6th instant, which was delivered to me a few days ago, by Capt. Cornell, who set out immediately for Fort Stanwix, where I am hopeful he will soon be able to execute the commands you had given him, in consequence of the vote of Assembly, for re-enlisting a company of men, to serve during the winter.

I am much obliged to you, for taking the earliest opportunity of laying my requisition before the Assembly, and to them for their ready and cheerful compliance therewith.

The measures you are now taking for raising the recruits demanded for the regular corps, will, I trust, have the desired effect, which I shall be very glad to learn; and you may be assured, it is always a pleasure to me, to have it in my power to make favorable reports to the King's ministers, of the conduct of his colonies.

With regard to the billeting money, due for the year 1757, the rolls of which have been several times laid before me, and which have been always returned, because I did not think myself authorized to settle them, being prior to my command, I am to acquaint you, that the same objections still subsist; but I have now directed Lieut. Col. Robertson, the deputy quarter master general, to make a report to me, in writing, of what he knows concerning these accounts, a copy of which, you will receive herewith; and I likewise return you the billeting rolls, as I cannot take upon me to order payment for them.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the last Wednesday in October, 1762.

The Hon. Samuel Ward, Governor.

The Hon. John Gardner, Deputy Governor.

An Act empowering the general treasurer to dispose of £8,861 12s., sterling, being part of the sum granted by the crown to the colonies.

[This was a part of the grant made by Parliament, for reimbursing the northern colonies for the expenses incurred by them in the expedition of 1760, for the reduction of Canada.]

Whereas, Joseph Sherwood, Esq., agent for this colony, in Great Britain, hath informed this colony that a part of the grant made by the Parliament, to reimburse the northern colonies the charge of the expedition in the year 1760, is retained by the lords commissioners of the treasury, until information be had of the number of forces sent into the field by each colony in that year,—

It is therefore voted and resolved, that His Honor the Governor be, and he is hereby requested to write to His Excellency Sir Jeffrey Amherst, and desire him to transmit him a copy of the return of the number of men sent into the field by each government, in the year 1760; and compare the account therein given of the forces sent by this colony, with the return made by the colonel of the regiment; and upon finding the same correct, transmit the same to the agent as soon as possible.

It is voted and resolved, that Nathan Rice and Elisha Brown, Esqs., be sued for what is due from them to the colony; provided, nevertheless, that if the said Elisha Brown, shall, within three weeks after the rising of this Assembly, settle and adjust his accounts, as a member of the committee of war,

with the committee appointed to audit his accounts, that then no suit shall be commenced against him, till further orders from this Assembly.

Whereas, Capt. Simeon Potter, preferred a petition, and represented unto this Assembly, that at the superior court, held in Bristol, in November, 1761, a bill of indictment was found against him, for an assault said to be made upon the Rev. Mr. John Usher; that in consequence thereof, a verdict was found against him, and he was fined £500; and the said Simeon Potter having, in the said petition, assigned divers reasons, to show that he was greatly injured, prayed this Assembly that the bill, conviction, sentence and records, relating to the premises, may be nullified, and rendered absolutely void, and that he be not compelled to pay the said fine and costs; on consideration whereof,—

It is voted and resolved, that the said petition be, and the same is hereby, referred to the next session; and that in the mean time execution be stayed.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to procure to be drawn up, a state of the case respecting the sugars seized at Providence, in April, 1761; one-third, whereof, was condemned to the King, and lodged in the general treasury, &c., and lay the same before this Assembly, at the next session; together with all the letters he hath received from Mr. Temple, and copies of all the letters sent to him by His Honor the Governor.

God save the King.

Public Acts passed during the year 1762.

[The following acts will be found at length in the printed "Schedules," or acts of the General Assembly, for the year 1762.]

An Act to repeal an act, entitled "An act to prevent bringing the murrain into this colony, from North Carolina," passed October, 1759. (March.)

An Act for supplying the treasury with £2,000, lawful money. (May.)

An Act in addition to the several acts relating to jurors. (June.)

An Act to ascertain the number of jurors to attend on the courts, in Newport county. (June.)

An additional Act providing for the more speedy extinguishing of fires in Newport. (June)

An Act to naturalize John Morell, of Newport, late a subject of the king of Spain. (August.)

An Act in addition to the several acts, regulating the manner of admitting free-men, and electing officers in this colony. (September.)

An Act empowering justices of the peace to try actions not exceeding forty shillings, lawful money. (September.)

An additional Act enabling the town council of each town, to grant licenses for retailing strong liquors. (October.)

An Act in amendment of the last act of the General Assembly, for the relief of insolvent debtors in jail. (October.)

An Act empowering the general treasurer to issue to the several members of the council of war the \$4,000 ordered to be emitted in September last. (October.)

General Amherst to the Governor of Rhode Island.

New York, 18th October, 1762.

Sir:—I have the satisfaction to inform you, that by the Gosport man of war, just now arrived from St. Johns, I have received letters from My Lord Colville and Lieut. Col. Amherst, acquainting me that the ships under His Lordship's command, and the troops under the command of Lieut. Col. Amherst, had re-taken St. Johns, the garrison, consisting of seven hundred and seventy men, under the command of the Comte De Housonville, having surrendered by capitulation, on the 18th September, to be prisoners of war; whereby that place, and consequently the whole island of Newfoundland, becomes again entirely into His Majesty's possession. This gives me a particular pleasure, as the dislodging the enemy from thence, is of so much consequence to the trade of this continent.

I enclose you a copy of the articles of capitulation, as they have been transmitted to me by Lieut. Col. Amherst.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

The Governor of Rhode Island to General Amherst.

Newport, 11th November, 1762.

Sir:—The early advice which Your Excellency was so good as to give me, of the important conquests of the Havanna, and that part of Newfoundland which the French had taken, gave me the highest satisfaction. The officers and troops have done themselves and their country great honor, and the advantages accruing therefrom to the nation, must be of the greatest importance.

I have lately received a letter from the agent for this colony, advising me that when the Parliamentary grant to this colony, for 1760, was to be distributed, the agents for some of the colonies insisted that the money should not be distributed as former grants had been, agreeably to the number of men voted by the several governments, but agreeably to the number of men actually raised and sent into the field.

Whereupon, it was agreed, by the respective agents, and approved by the lords of the treasury, that the money should be distributed according to the former pro-

portion, excepting the sum of £10,000, which was left in the treasury, to be divided afterwards according to the merits of the respective colonies; and as Your Excellency's return will probably be the standard by which the said money will be proportioned, I shall take it as a particular favor if Your Excellency will oblige me with a copy of the return of the men actually sent into the field by the several governments, in the year 1760.

I have the pleasure to acquaint Your Excellency, that Capt. Cornell, in a letter which I lately received from him, advises me that he had enlisted fifty-nine men, and expected in a few days, to complete his company.

I am, with very great regard, &c., &c.,

S. WARD.

To His Excellency General Amherst.

Letters from General Amherst to the Governor of Rhode Island.

New York, 21st November, 1762.

Sir:—I have received the favor of your letter of the 11th inst., in answer to which, I am to acquaint you, that in obedience to directions from the lords commissioners of His Majesty's treasury, I have made out returns of the troops furnished by the several provinces, in the years 1760, 1761 and 1762, which I shall transmit to their lordships by the first opportunity, and therefore it is unnecessary to send you a copy, as the men raised by the colony of Rhode Island are included in the general return, and that the lords of the treasury will no doubt abide by the original one transmitted by me.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

New York, 23d November, 1762.

Sir:—Part of the transports which sailed from the Havanna, on the 21st October, under convoy of His Majesty's ship Intrepide, being arrived here, I gave immediate orders for examining the men, that such as were in too weak a condition to be moved, might be received into the hospital, where all possible care shall be taken of them; and the rest sent to their respective provinces, as I conclude all that are able to bear that fatigue, will be glad to get home.

A transport is now ready to receive the men of your colony that are arrived, and are fit to be sent; and this will be delivered to you by the commanding officer, who has my orders to land the men at Newport, as the most central place; immediately on the arrival of the rest, the like care shall be taken of them.

But I am extremely sorry to find, by the returns of those that are already come in, their losses at the Havannah have been great; and that many have died on the passage, owing, I fear, to the sudden transition from the warm to a cold climate.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

The Earl of Egremont to the Governor and Company of Rhode Island.

Whitehall, 27th November, 1762.

Gentlemen :—It is with great pleasure that I now acquaint you, that on the 8th instant, a messenger arrived from the Duke of Bedford, with the preliminary articles of peace, which had been signed on the 3d of this month, at Fontainbleau, by His Grace, and the plenipotentiaries of France and Spain ; and another messenger having yesterday brought the ratifications of the said preliminaries, which had been exchanged at Versailles on Monday last, His Majesty was pleased immediately to order a proclamation to be published, declaring a cessation of arms, as well by sea as land, which I enclose herewith ; and am commanded to signify His Majesty's pleasure to you, that you cause the same to be published in all the proper places under your government, to the end that all His Majesty's subjects there may pay due obedience thereto, and strictly observe the same.

I congratulate you most sincerely on this fortunate issue of the King's unwearied endeavors to put an end to the calamities of so long and destructive a war, by restoring, as far as has depended on His Majesty, the general peace and tranquility.

I am, with great regard, &c., &c.,

EGREMONT.

To the Governor and Company of Rhode Island.

General Amherst to the Governor of Rhode Island.

New York, 8th December, 1762.

Sir :—Recruiting parties being arrived here from the several regiments at the Havanna, I am dividing them among the provinces.

Rhode Island I have allotted for the 48th regiment, and shall grant beating orders accordingly ; the officers have particular instructions for enlisting the men, in which I must, in a most earnest manner, request you will give them your countenance and assistance.

And that this may not in the least slacken the means used in furnishing the quota of recruits demanded by the King, I am to desire you will be pleased to continue the colony bounty (although I have called away Lieut. Newland,) until the whole is completed ; and such men as are enlisted by that bounty, will be received by the recruiting officers on the same footing as was stipulated by my first proposals.

The necessity of using every method to get recruits, is now become more urgent than ever, from the great losses the several corps have sustained by the unhealthy climate of the West Indies, and the hard services they have been upon.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

The Governor of Rhode Island to Capt. George Cornell.

Newport, 28th December, 1762.

Sir :—I am now to acknowledge my having received two letters from you, since you left the colony, and that I was much pleased that you enlisted your company so early. Your request for a doctor, I laid before the Assembly, who having done nothing thereon, the committee of war have now sent you Doctor Brown, who, I doubt not, will be very agreeable to you and the troops under your command.

Mr. Dowe, in his account, has charged the colony a large sum delivered you for the winter's company ; but I hope you have been so prudent as to take up nothing but what was really necessary ; for at the same time that I would have all due care taken of the troops, I must recommend it to you to be particularly careful not to put the colony to any useless or unnecessary expenses.

I wish you and the troops under your command, an agreeable winter ; and am,
in, &c., &c.,

S. WARD.

To Capt. George Cornell.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Monday of February, 1763.

The Hon. Samuel Ward, Governor.

The Hon. John Gardner, Deputy Governor.

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that the committee appointed to finish the colony house in Providence, may make and put up in the council chamber, in said house, convenient shelves, or cases, for the books belonging to the Providence Library ; and that the proprietors of the said library may keep their books therein ; provided, always, that the said proprietors do pay all expense that shall arise in making the said shelves and cases ; and moreover, do permit the members of the General Assembly the free inspection of the books during the session of the General Assembly, without carrying them out of the house.

Whereas, Messrs. Robert Gibbs, Jabez Bowen, Darius Sessions, John Dexter, Ephraim Bowen and Samuel Nightingale,

the committee of the Presbyterian, or Congregational Society, in the town and county of Providence, preferred a petition, and represented unto this Assembly, that the said society, for a long season, have been destitute of a settled gospel minister; that being willing to promote their own, as well as the best interest of the community to which they belong, they very much desire to be restored to gospel order; that the circumstances of the said society are such, that it seems almost impracticable, without the interposition of this Assembly, by granting a lottery, agreeably to the under-written scheme, to lay a sure foundation for a decent support to any worthy gentleman disposed to undertake the charge; that as the peace, harmony and happiness of all communities, are much in proportion to their growth in virtue and knowledge; that as the procuring a parsonage, to lie forever for said society, as the place of residence for their pastor or minister, will not only greatly strengthen their hands, but have a good influence on both knowledge and virtue; that as from the large encouragements given by a number of gentlemen in the neighboring governments, if the said lottery be granted, the greater part of the tickets will undoubtedly be sold out of, and bring a real value into the colony; and thereupon, they prayed this Assembly to grant a lottery of £3,840, lawful money, the deduction to be £560, lawful money; that the necessary expenses being first deducted, the remainder be appropriated to the purchasing a parsonage, which shall be, and remain to the said society for ever.

[The petition was granted, the lottery was called, and Messrs. Samuel Nightingale, James Green, Grindal Rawson, William Wheaton, David Burr, Jr., Nathaniel Balch, Jabez Bowen, Jr. and Jonathan Arnold, all of Providence, were appointed managers of the Providence Presbyterian Parsonage Lottery.]

Whereas, Nathaniel Searle, Esq., and others, preferred a petition, and represented unto this Assembly, that there is no harbor in the town of Little Compton, excepting one called Church's Harbor, which, lying just at the mouth of the river that runneth up on the east side of Rhode Island, is very much

exposed to north-westerly winds, by reason whereof, it is very difficult to procure vessels to come into said harbor, to land timber, wood, boards and other merchandise; that a good wharf, built in the said place, will render the same a good and convenient harbor for all coasting vessels and others, bound from the eastward to Newport, or up the river, or to Providence, when they meet with a head wind, and will prevent a great many vessels from being driven to sea, or cast away; that the building the said wharf will be very serviceable for carrying on the cod fishery, which will be attended with great public, as well as private benefit; that the town of Little Compton is not able to raise a sufficient sum of money to build the said wharf, they being very much reduced in their estates, by reason of high taxes, and their crops of corn and hay falling short, there not being one half of the hay cut, or stock kept, as in former years; and thereupon, the said petitioners prayed this Assembly to grant a lottery, consisting of two classes, to raise the sum of £6,000, old tenor, to be applied to the building a wharf at the aforesaid harbor; and that William Hall and Thomas Church, Esqs., Messrs. Samuel Bailey, Thomas Brownel, Aaron Wilbour, Simeon Palmer, William Richmond, Jr. and Henry Wood, be appointed directors of the said lottery; upon consideration of which,—

It is voted and resolved, that said petition be granted.

Whereas, Thomas Lapham, Esq., and others, preferred a petition, and represented unto this Assembly, that there is great need of a bridge to cross Pawtucket River, at or near the Furnace Unity, in Cumberland, there being no bridge within five miles up, and six miles down the said river, from that place; that inhabitants live thick on each side of the river, many of whom have improvements on both sides; and at many times in the year, for weeks together, there is no passing over with cart or horse; that there is an open high road from Smithfield to Boston, over the river at that place, where also stands a grist mill, of very large custom from Smithfield, when the river is fordable, and no other within many miles; and that there are more than one thousand tons annually carted to and from

the said furnace, great part whereof, is carted across the river, when fordable; and thereupon, the said petitioners prayed this Assembly to grant a lottery, for raising the sum of £400, lawful money bills, for the building a bridge at the said place; and that Messrs. Israel Wilkinson, Stephen Whipple, Jonathan Gulley, Abner Lapham, Joseph Davis and John Fisk, may be appointed managers of the said lottery; on consideration whereof,—

It is voted and resolved, that the foregoing petition be, and the same is hereby, granted; provided, that the directors give bond according to custom; and that no charge accrue to the colony by reason thereof.

Whereas, several merchants, and others, inhabitants of the town of Providence, preferred a petition, and represented unto this Assembly, that a draw-bridge, at Weybosset, will be of the greatest utility, as a large part of the town is situated along by the water, above the bridge, in which quarter a great trade is carried on; that hitherto, for want of a draw-bridge, the transportation of heavy goods hath been attended with difficulty and great expense; and that part of the bridge hath always been taken down to get through new vessels launched above, which is not only chargeable and inconvenient, but weakens and impairs the bridge itself; and that if there was a draw-bridge, nobody would be incommoded thereby; and it would tend greatly to the promotion of trade; and thereupon, the said petitioners prayed this Assembly to grant a lottery, to raise the sum of £90, lawful money bills, to be appropriated for the purpose, aforesaid; and that Messrs. Nathan Angell, Joseph Russell, Ambrose Page, John Smith, Job Smith and John Brown, son of Elisha, may be appointed directors of the said lottery; on consideration whereof,—

It is voted and resolved, that the foregoing petition be, and the same is hereby, granted; provided, that the directors give bond, according to custom; and that no charge accrue to the colony by reason thereof.

Whereas, a petition signed by a number of persons, was preferred unto this Assembly, representing that the variable

and very uncertain state of the currency of this colony; the endless confusion and disorder attending all business by reason thereof, and the many injuries suffered by the less knowing, and more unwary part of the people, are such grievances as call for the reforming hand, and assisting power of the legislature; that they are of opinion, that the ordering all accounts to be kept, and securities taken, in lawful money; the value of silver and gold ascertained, that is, a dollar weighing seventeen penny weight and twelve grains, to be of the value of six shillings, lawful money, and so in a greater or less proportion, and gold at an equivalent value; and the ordering in what manner old tenor debts shall be discharged, will be the most effectual means to remedy those mischiefs and disorders; and thereupon, the said petitioners prayed this Assembly to take the same into consideration, and pass an act, or provide such other remedy as may remove the difficulties before mentioned, as shall be thought best; on consideration whereof,—

It is voted and resolved, that Messrs. George Jackson, John Aplin and Nicholas Brown, be, and they, or the major part of them, are hereby appointed a committee, to take the said petition into consideration, and to prepare a bill respecting the matters and things therein contained; and that they make report to this Assembly as soon as conveniently may be.

Whereas, His Honor the Governor, in pursuance of a vote of the General Assembly, passed at the last session, did lay before this Assembly a state of the affair of the sugars condemned at Providence, in April, 1761; and the said report of His Honor the Governor being read,—

It is voted and resolved, that the same be, and hereby is, referred to the next session; and that in the mean time Mr. John Aplin be, and he is hereby, requested and empowered to draw up a complete state of all the controversies between the government and the custom house officers, and lay the same before this Assembly at the next session, in order to be sent home.

God save the King.

The Governor of Rhode Island to the Earl of Egremont.

Newport, 14th February, 1763.

My Lord :—On the 6th instant, I had the honor of receiving Your Lordship's letter of the 27th November last, enclosing the King's proclamation, declaring a cessation of arms, as well by sea as land; and on Tuesday following, I published the same, to the great satisfaction of all His Majesty's subjects in this colony.

The calamities of this long and destructive war, were so very extensive, and so many of His Majesty's brave subjects have necessarily been lost in the many perils of war, that it must give every person of humanity the highest pleasure to see His Majesty's unwearied endeavors for restoring the general tranquillity, attended with such success.

I am, with the greatest respect, &c., &c.,

SAM. WARD.

To the Right Honorable the Earl of Egremont.

P R O C L A M A T I O N .

'By the Hon. Samuel Ward, Esquire, Governor, Captain General and Commander in Chief of, and over the English colony of Rhode Island and Providence Plantations, in New England in America. To all unto whom these presents shall come, greeting :

Be it known, that in pursuance of His Majesty's orders, signified to me by a letter from the Right Honorable the Earl of Egremont, one of His Majesty's principal secretaries of state, a cessation of arms between His Brittannic Majesty, His Most Christian Majesty, His Catholic Majesty, and His Most Faithful Majesty, and their respective vassals and subjects, as well by sea as land, in all parts of the world, was published on Tuesday, the 8th instant, at Newport, in the colony, aforesaid.

Given under my hand and the seal of the said colony, this 15th day of February, 1763, and in the third year of the reign of His Most Sacred Majesty George the Third, by the grace of God, King of Great Britain, &c.

SAM. WARD.

By His Honor's command,
HENRY WARD, Secretary."

General Amherst to the Governor of Rhode Island.

New York, March 30, 1763.

Sir :—I am to thank you for your letter of the 10th instant, which was delivered to me two days ago, by Lieut. Newland, who acquaints me that, although he waited on the Assembly, in order to obtain the allowance for billeting for himself and party, agreeably to an act passed some years ago, and which, he tells me, has not been repealed, he received no satisfaction on that head. The allowance to officers' recruiting parties, for quarters, when on that duty, having been constantly made.

I am surprised that any difficulties should have arisen at this time; and I must beg the favor you will settle this matter in such a way, that the officer you may

send with the billeting accounts of the Rhode Island troops for last year, may allow a stoppage to be made for Lieut. Newland, agreeably to the enclosed charge, which is a copy of what he has delivered in to me. The sooner you send those accounts, the better, that they may be settled.

I am, with great regard, &c., &c.,

JEFF. AMHERST.

To the Hon. Governor Ward.

The Governor of Rhode Island to General Amherst.

Newport, 23d April, 1763.

Sir:—I had the honor of Your Excellency's letter, of the 30th March last, respecting Lieut. Newland's account; but as the General Assembly, when that matter was laid before them, refused payment, and were of opinion that the act upon which Mr. Newland founded his demand, did not extend to any recruiting officers or party, but was confined solely to the privates, who might be recruited by such officer or party, it is not in my power to consent to a stoppage being made out of any monies due the colony.

The account of billeting paid for the men raised by Lieut. Newland, is made out; and also an account of the expenses the government were at for the seamen lately belonging to His Majesty's ship Hussar; but the General Assembly having appointed no person to receive the money, the sending these accounts must be omitted until their next session.

I am, with the greatest respect, &c., &c.,

S. WARD.

To His Excellency Gen. Amherst.

The Lords Commissioners of Trade and Plantations to the Governor and Company of Rhode Island.

Whitehall, April 29, 1763.

Gentlemen:—His Majesty having appointed us commissioners for promoting the trade of this kingdom, and for inspecting and improving His Majesty's foreign colonies and plantations; we take this earliest opportunity of acquainting you therewith, and transmitting to you the enclosed copy of the order of His late Majesty in council; by which the correspondence between this board and the governors of His Majesty's colonies, is regulated and ascertained, together with copies of the letters from the secretary of state to this board, and to the said governors, explaining this order, and the additional instructions given to the governors in consequence thereof.

This order and explanatory letters, will mark out to you the manner in which you are to carry on your correspondence with this board, and you will govern yourselves accordingly.

We are, gentlemen, your most obedient servants,

SHELBURNE,

JOHN YORKE,

SOAME JENYNS,

GEO. RICE,

P. BACON,

ORWELL,

BAMBER GASCOYNE.

To the Governor and Company of Rhode Island.

The Lords Commissioners of Trade and Plantations to the Governor and Company of Rhode Island.

Whitehall, April 29, 1763;

Gentlemen:—The King having judged it proper that a public thanksgiving to Almighty God, should be observed throughout all His Majesty's colonies in America, on the happy conclusion of the peace, we have received His Majesty's commands to signify to you his royal pleasure, that you do, upon receipt of this letter, appoint a proper and early day of thanksgiving to be observed by all His Majesty's good subjects under your government, in such manner and with such forms of prayer as have been usual on like occasions.

We are, gentlemen, your most obedient, humble servants,

ORWELL,

P. BACON,

BAMBER GASCOYNE,

JOHN YORKE,

SHELBURNE,

GEO. RICE.

SOAME JENYNS,

To the Governor and Company of the colony of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1763.

The Hon. Samuel Ward, Governor.

The Hon. John Gardner, Deputy Governor.

The following officers, declared elected, were duly engaged

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

ASSISTANTS.

Mr. James Honeyman,

Mr. Joseph Lippitt,

Mr. Peleg Thurston,

Mr. Jonathan Randall,

Mr. Nicholas Tillinghast,

Mr. Samuel Brownell,

Mr. Darius Sessions,

Lieut. Col. Joseph Haszard,

Mr. John Almy,

Mr. Thomas Church.

DEPUTIES.

Newport.

Mr. Gideon Wanton, Jr.,
Mr. John Wanton,
Mr. George Hazard,
Mr. Benjamin Greene,
Mr. Daniel Ayrault, Jr.,
Capt. William Read.

Providence.

Mr. Daniel Jenckes,
Mr. George Jackson,
Mr. James Angell,
Mr. Eseck Hopkins.

Portsmouth.

Mr. John Shearman, Jr.
Mr. David Anthony,
Mr. Thomas Brownell,
Mr. Enoch Butts.

Warwick.

Mr. Philip Greene,
Mr. Othniel Gorton,
Col. James Arnold,
Mr. Abraham Chace.

Westerly.

Col. William Pendleton,
Mr. George Sheffield.

New Shoreham.

Capt. Edward Sands,
Mr. John Littlefield.

North Kingstown.

Mr. Ezekiel Gardner,
Mr. Samuel Boone, Jr.

South Kingstown.

Mr. Rowland Robinson,
Mr. Stephen Haszard, Jr.

East Greenwich.

Major John Arnold,
Mr. Thomas Aldrich.

Jamestown.

Mr. Isaac Howland,
Mr. Nicholas Carr.

Smithfield.

Mr. Caleb Aldrich,
Mr. Stephen Whipple.

Scituate.

Capt. Job Randall,
Mr. Charles Harris.

Glocester.

Mr. Richard Steere,
Mr. Jonathan Harris.

Charlestown.

Capt. Robert Potter,
Capt. John Champlin.

West Greenwich.

Capt. Charles Carr,
Mr. Benjamin Tillinghast.

Coventry.

Mr. Caleb Greene,
Mr. Obadiah Johnson.

Exeter.

Capt. John Reynolds,
Mr. John Chapman.

Middletown.

Mr. James Barker, Jr.,
Mr. William Bailey.

Bristol.

Mr. William Bradford,
Capt. Simeon Potter.

DEPUTIES.

Tiverton.

Mr. Jonathan Davel,
Mr. Samuel Durfee.

Little Compton.

Mr. William Hall,
Mr. Oliver Hilyard.

Warren.

Mr. Cromell Child,
Major Nathaniel Peck.

Cumberland.

Mr. John Dexter,
Mr. Job Bartlett.

Richmond.

Capt. Benjamin Barber,
Mr. David Potter.

Cranston.

Capt. Matthew Manchester,
Capt. Richard Searle, Jr.

Hopkinton.

Major Joshua Clarke,
Mr. John Maxson, Jr.

Johnston.

Mr. Andrew Harris.

John Dexter, Esq., speaker, Josias Lyndon, Esq., clerk.

Mr. Henry Ward, secretary.

Mr. Augustus Johnston, attorney general.

Mr. Joseph Clarke, general treasurer.

Edward Scott, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Samuel Brenton. Providence county, Mr. Allin Brown. Kings county, Mr. Beriah Brown. Bristol county, Mr. John Brown. Kent county, Mr. Henry Rice.

It is voted and resolved, that all the soldiers who have been raised by this colony, for the Rhode Island regiments, and have deserted at any time heretofore from the same, shall be forgiven the crime of desertion, upon their paying, or causing to be paid, to the general treasurer of this colony, all the money they have received of the committee of war before they marched from the colony.

And it is further voted and resolved, that all the laws made

by this colony, for the apprehending deserters, be, and they are hereby, repealed.

It is voted and resolved, that the printer, at Newport, and also the printer at Providence, send to the clerk of the lower house, the terms that each of them will print the colony's business at; and that he that will do it for the least, shall have the business; and if equal, the printer at Newport shall have the preference.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1763.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, several of the inhabitants of the town of Providence, preferred a petition, and represented unto this Assembly, that the new street in Providence, running directly from the Great Bridge, up to the westward, wants a great deal of filling up and raising, to render it commodious, and that if the same was put into good passable repair, it would be greatly used, as it leads in a direct line to and from the bridge; that it is almost impossible to put the said street into good order by the usual way of the inhabitants of the district working upon it, as the district is small, and has a great deal of other repairs upon its hands; and thereupon, they prayed this Assembly that a lottery may be granted, to raise the sum of £100, lawful money, for the purpose, aforesaid, in one or more classes, as the directors shall think most convenient; and that Messrs. Jacob Whitman, Knight Dexter, Philip Potter and Samuel Low, all of Providence, may be appointed the directors; on consideration whereof,—

It is voted and resolved, that the prayer in the foregoing petition contained, be, and the same is hereby, granted, under the same regulations as the lotteries lately granted for raising money to pave the streets in Providence.

Whereas, a considerable number of the Narragansett tribe of Indians, within this colony, preferred a petition, and represented unto this Assembly, that the land belonging to the said tribe of Indians, which was reserved by old Ninegret, the Narragansett sachem, was by him reserved to and for his use, and the use of his said tribe and their children, forever; that a law was passed in this colony, to make void all grants, deeds and leases made by the sachem of said tribe, without the consent and approbation of the General Assembly; that the said law, although it had been long in force, and proved very beneficial to said tribe, hath been lately repealed; in consequence whereof, Thomas Ninegret, the present sachem, hath, without the approbation of the General Assembly, or consent of said tribe, sold and conveyed away divers tracts of land belonging to said tribe, and is daily so doing; by reason whereof, a great part of said tribe are in danger of being utterly deprived of the means of procuring a maintenance, and must either starve, or become a town charge; and thereupon, the petitioners prayed this Assembly to pass an act to prohibit the said sachem from selling any more of said lands from them (especially their particular settlements,) without the consent, as formerly, of his tribe, and of the General Assembly; and that until they can be heard by this Assembly, the said sachem may be restricted from selling any of said lands. On consideration whereof,—

It is voted and resolved, that this petition be referred to the next session; that Thomas Ninegret, the present sachem of said tribe, be served with a copy thereof, and cited to appear at the next session, to answer the same; and that in the mean time, the said Thomas Ninegret be, and he is hereby, restricted and forbid to sell and dispose of any lands in the Narragansett country, upon any pretence whatever.

An Act declaring what is, and shall be, lawful money of this colony ; and for the better ascertaining contracts, and other securities, that shall hereafter be made for the payment of money ; and for the more equitable discharging of contracts, and other securities, for the payment of the paper bills of this colony.

Whereas, notwithstanding an act of Parliament, made in the sixth year of Her late Majesty Queen Anne, entitled " An act for ascertaining the rate of foreign coins in Her Majesty's plantations in America," there is no act of this colony, declaring what is, or shall be, lawful money of this colony ; for want whereof, as a standard in contracts and dealings, much uncertainty and confusion have been occasioned ; and whereas, also, great quantities of paper bills of credit, by virtue of acts of Assembly, have been, from time to time, created and issued on loan, and otherwise, which, by the respective acts for creating and issuing the same, must soon be called in, discharged and sunk ; and whereas, the said paper bills of credit have been considered as a medium of trade, and a measure in dealings, in lieu of money, whereby obligations and securities have been made and given, and debts contracted in said bills, which, from a scarcity of those bills that must unavoidably happen near the expiration of the several terms for which they were issued, cannot be discharged and paid in the bills themselves ; and as great contests and disputes may arise between creditors and debtors, what shall be a true equivalent in lawful money for such debts contracted in paper bills ; therefore, for preventing and remedying the said inconveniences, and for the better securing of property, and for causing impartial justice to be done,—

Be it enacted by this General Assembly, and by the authority of the same it is hereby enacted and declared, that lawful money of this colony is, and shall hereafter be, silver and gold coin ; and that nothing else shall be taken and understood to be lawful money of this colony.

And be it further enacted by the authority aforesaid, that from and after the 1st day of January next, which shall be in

the year of our Lord 1764, all mortgages, bonds, bills, promissory notes, and all other securities in writing, of what kind soever, wherein the payment of money is reserved, or promised, shall be taken and understood to mean lawful money, as aforesaid, except the contrary be in such writing expressed; and all contracts and undertakings shall be deemed to be made for lawful money, unless the contrary be made to appear; and in all book accounts, whatsoever, for goods sold, or service done, all entries and charges shall be in lawful money; and where it doth not appear, that in any book account there is an agreement between the buyer and seller, in what particular money the debt shall be discharged, it shall be at the election of the debtor to discharge the same either in silver and gold, or in the bills heretofore emitted by this colony, called lawful money.

And be it further enacted by the authority aforesaid, that from and after the said time, damages to be recovered in any of the courts of justice in this colony, in any action of trespass, trover, or other action of the case not grounded on a contract, shall be computed in lawful money; and all cost arising in any suit at law, of what kind soever, and officers' fees, shall be computed in like lawful money, according to a table of fees to be stated and appointed by the General Assembly; and also all penalties, fines, and forfeitures, shall likewise be computed in lawful money, equal in value to the sums of the several fines and forfeitures appointed and set by the laws of this colony now in force.

And be it further enacted by the authority aforesaid, that from and after the said 1st day of January, A. D. 1764, the rate and value, in lawful money, of the several pieces of coin hereafter mentioned, shall be as followeth, to wit:

An English crown, 6s. 8d.; an English shilling, 10s. 4d.; a Spanish dollar, 6s.; a guinea, £1 8s.; a doubloon, £4 8s. [The rates of various Portuguese and Spanish coins, which are also given, it is unnecessary to enumerate.]

And be it further enacted by the authority aforesaid, that if any person within this colony, shall, from and after the said

1st day of January, A. D. 1764, for the discharge of any contracts, bargains, or debts, made or arisen after said time, account, receive, take, or pay any of the several species of coin, afore mentioned, at any greater or higher rate than at which the same are hereby regulated, the person so accounting, receiving, taking, or paying the same, contrary to the directions herein contained, shall forfeit the sum of £6, lawful money, to be recovered by an action of debt, and disposed of as followeth : one half to, and for the use of this colony ; and the other half, to, and for the use of him who will sue for the same.

And be it further enacted by the authority aforesaid, that all mortgages, bonds, bills, promissory notes, rent reserved, or leases, or other securities in writing, of what name or nature soever, that are already made, or that shall hereafter be given or made, to secure the payment of any kind or sum of old tenor bills of this colony, or book debts contracted before said 1st day of January, A. D. 1764, may be discharged by the debtor's paying unto the creditor, such a sum in said bills, as shall, at the time of actual payment, be equal in value to the nominal sum due at the time when such sum first became due and payable, with six per cent. per annum interest, in case any interest be due ; or in lieu thereof, as much lawful money as said bills, at the time of payment, are worth ; and when any action shall be commenced, and brought before any of the courts of justice in this colony, for the recovery or non-payment of any sum of the old tenor bills, the payment whereof being reserved or secured in, or by any instrument in writing, or any sum due on book account ; that then such court shall take consideration of the same, and shall cause judgment to be entered for such a sum of the old tenor bills, as they then pass, as shall be equal in value to the nominal sum due at the time when such sum first became payable, and for interest at six per cent. per annum, if interest shall be reserved in said writing, and be due by the usage of such court ; or for want thereof, then or so much lawful money as said bills are at the time worth, and execution on such judgment shall issue accordingly. But if it shall appear to such court, that the interest on any such sum

hath been fully paid for any term of time after such sum first became due, that in such case the court shall begin their computation of the value of the bills from that period; and the value of money due upon any book account, shall be computed from the date of the last charge in the account.

Provided, nevertheless, that nothing in this act shall extend, or be construed to extend, to any bonds or mortgages due to the colony.

And for the better ascertaining the true value of such old tenor bills, at the different periods of time when any such sum hath, or may become due,—

It is further enacted by the authority aforesaid, that the following table, or estimate, shall be the standard for fixing the value of such old tenor debts; and that the several courts of law within this colony, shall govern themselves by the same in making up judgments; that is to say :*

| | | | | | | £ s. d. |
|-------------------|-----------|--------|--------|-----|-------|---------|
| In the year 1751, | a Spanish | milled | dollar | was | worth | 2 16 0 |
| “ | 1752 | “ | “ | “ | “ | 3 00 0 |
| “ | 1753 | “ | “ | “ | “ | 3 10 0 |
| “ | 1754 | “ | “ | “ | “ | 3 15 0 |
| “ | 1755 | “ | “ | “ | “ | 4 05 0 |
| “ | 1756 | “ | “ | “ | “ | 5 05 0 |
| “ | 1757 | “ | “ | “ | “ | 5 15 0 |
| “ | 1758 | “ | “ | “ | “ | 6 00 0 |
| “ | 1759 | “ | “ | “ | “ | 6 00 0 |
| “ | 1760 | “ | “ | “ | “ | 6 00 0 |
| “ | 1761 | “ | “ | “ | “ | 6 10 0 |
| “ | 1762 | “ | “ | “ | “ | 7 00 0 |
| “ | 1763 | “ | “ | “ | “ | 7 00 0 |

And be it further enacted by the authority aforesaid, that in all payments of old tenor debts, which shall become due or

* [To understand the exact value of the dollar in Federal money, at the several periods referred to, the pound must be reckoned at twenty shillings of sixteen and two-thirds cents each, or \$3,33; so that in 1751, the Spanish dollar was worth \$9,33, and in 1763, \$23,33.—J. R. B.]

payable at any time after the said 1st day of January, A. D. 1764, six shillings in the lawful money of silver and gold, above established, shall pay and discharge £7 of any such old tenor debt; that all securities made, or to be made, before the said 1st day of January, for the payment of bills of credit called lawful money bills, may, and shall be paid and discharged in such bills according to their nominal value; and that all securities that are made for the payment of bills of credit of the old tenor, or for the bills called lawful money, may be paid and discharged in the bills specified in such securities, and that such bills shall be a legal tender for any such debt, as well after as before, or at the day on which such payment ought to have been made; and all judgments to be made for the recovering the money due on any such securities shall be payable in such bills as are mentioned in such security; any thing in this act to the contrary hereof notwithstanding.

Thirteen members dissented from this bill, for the foregoing reasons:

1st. The introducing a lawful money currency, and no provision made for old tenor answering in payment after said time, before the sinking of the old tenor that is out upon the credit of the colony, and the expiration of the bank money, will prevent the greatest part of the inhabitants from procuring said bills to pay their rates, and the banker from discharging his mortgage, as it will naturally center the money into the hands of money jobbers, and is contrary to the faith of the government with said bankers, that said money should pass as a currency in said government, to the expiration of said banks.

2d. That if it be reasonable that any depreciation be allowed, it ought to take place at the date of the contract, and not at the time of payment.

3d. That in the year 1752, this General Assembly passed an act, ascertaining the value of old tenor bills, that a Spanish milled dollar should pass for fifty-six shillings, old tenor;

and now this act declareth, that in the year 1752, a Spanish milled dollar was worth £3 5s., which is inconsistent in itself; and this act, or the former, must be wrong.

4th. That there is no provision made for minors.*

It is voted and resolved, that His Honor the Governor, Joseph Hazard, Esq., Augustus Jonston, Esq.; and Messrs. John Aplin and Martin Howard, Jr., be, and they, or the major part of them, are hereby, appointed a committee to draw up a set of rules and regulations suitable for an hospital for innoculation of the small pox, in this colony; and also to examine into, and recommend a proper place for erecting a hospital for that purpose; and that they perform the said business, and make report to this Assembly as soon as may be, without any expense to the colony.

Whereas, there was laid before this Assembly, an account, amounting to £89 15s. 6d., New York currency, charged by James Richardson, against Lieut. Col. Christopher Hargill, for medicines and necessaries supplied the detachment of the Rhode Island regiment, during the siege of the Havanna, which being duly considered,—

It is voted and resolved, that £80 15s. 6d., New York currency thereof, be allowed and paid the said James Richardson, out of the general treasury.

It is voted and resolved, that the number of soldiers to be employed for the future, at Fort George, be limited to four; who are to be enlisted by the captain of said fort upon the best terms he can; that the captain of said fort be, and he is hereby, empowered and directed to sell and dispose of the old broken, useless cannon, and other old iron, now at the said fort, for the use of the colony; and that he purchase a new flag, and a sufficient quantity of firewood, for the said fort, at the expense of the colony.

* This bill, being sent to the upper house, was accompanied with a protest; and having there been concurred in, with several amendments, was sent to the house of representatives; it concurred with the amendments, whereupon, a second protest was entered against the bill.

It is voted and resolved, that the fine for robbing or drawing any fish-pots, weirs, or nets, within this colony, be, and the same is hereby, augmented to forty shillings, lawful money, for every offence.

God save the King.

General Amherst to the Governor of Rhode Island.

New York, 17th June, 1763.

Sir:—On receiving some intelligence of the motions of the Indians, to the westward, I have judged it highly necessary to detain the provincials, notwithstanding the order I had formerly sent for their returning home on the 1st July, that I may be the better enabled to spare some reinforcements of the small number of regulars from the several posts, to push forwards for the protection of the upper country.

I have, therefore, sent positive orders to the officer commanding the Rhode Island troops, to continue with his men, until further orders; and have assured him that, on their remaining and doing their duty, application should be made to the colony, to make provision for them, accordingly.

The necessity of this measure, on so critical an occasion, will, I am convinced, appear so evident, that I need not use any arguments to induce you to apply to your Council and Assembly, for a continuation of the pay to the officers and men that do remain, and for bestowing on them such other rewards, as their services may entitle them to.

I am with great regard, &c., &c.,

JEFF. AMHERST.

To the Honorable Governor of Rhode Island.

Governor Fitch, of Connecticut, to the Governor of Rhode Island.

Norwalk, 21st June, 1763.

Sir:—When at Hartford, attending the General Assembly, I received your letter of the 26th May, respecting the line between Massachusetts and Rhode Island and Connecticut; but, as those matters were transacted before I came into the administration, I was unable, without further inquiry, to give you an account how they stood; and as Mr. Wolcott is deceased, and General Lyman was confined with the small pox, and I had no opportunity of conferring with Governor Wolcott about them, I desired some gentleman to look into those matters, and to let me know what they could find to have been done therein. When I receive their account, I shall acquaint you with it.

I believe the government did nothing further in England, than to instruct their agent to be watchful to guard against any motions that might be made by the Massachusetts agent, to the prejudice of this colony; and whether the Assembly will think it proper to pursue that matter further than to maintain a straight line between the Massachusetts and us, is a question I am not at present able to resolve; but when the former transactions and preparations are collected, I purpose to have them laid before the Assembly, who will, I presume, come to some determinations in the matter.

I am, sir, with very great regard, &c., &c.,

THOS. FITCH.

To the Hon. Governor Hopkins.

The Memorial of Capt. George Cornell to the Honorable General Assembly.

Fort Stanwix, 24th June, 1763.

Gentlemen:—This night I had the honor of receiving a letter from General Amherst, wherein he desired me to detain the troops for this summer. I dare say he has informed the Honorable Assembly of his intentions before this. I have ventured to give the men \$10, in clothes, as bounty. I shall do my best endeavors to detain the men till your further pleasure should be known.

The reason of my giving the men the clothes as bounty, is because they are all naked; they are so ragged that they are scarce fit to be called soldiers; however, I shall, with pleasure, wait your orders, which I shall strictly observe.

I am, gentlemen, your memorialist,

GEORGE CORNELL,

Capt. Rhode Island Company.

To the General Assembly of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the first Monday in August, 1763.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, by a letter from Joseph Sherwood, Esq., the agent for this colony, in Great Britain, enclosing the agreement entered into by the agents of the several colonies in North America, respecting the apportionment of the Parliamentary grant to the said colonies, for the campaign in the year 1760, it appears that there is due to this colony the sum of £1,910 3s., sterling, from the Province of Pennsylvania, and the sum of £631 12s., sterling, from the colony of Connecticut, this colony having received so much less than their just proportion of the said grant;—

. It is therefore voted and resolved, that His Honor the Governor be, and he is hereby, requested to transmit authentic

copies of the said agreement, to the Province of Pennsylvania, and the colony of Connecticut, and request them to order the payment of the aforesaid sums.

Whereas, a number of the inhabitants of this colony have mortgaged their lands to the government, and now have the money, and are ready to discharge the same,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that the general treasurer be, and he is hereby, directed to deliver to all persons their interest bonds, who shall pay him the money mentioned in the conditions thereof, and shall certify the same to the keeper of the grand committee's office, who shall discharge the mortgages upon payment of the principal-money due thereon.

Whereas, a number of the Narragansett tribe of Indians, in this colony, preferred a petition to this Assembly, at the last session, which was referred to the present session ; on consideration whereof,—

It is voted and resolved, that Joseph Lippitt, Thomas Church, Job Randall and John Barker, Esqs., and Mr. William Potter be, and they are hereby, appointed a committee, to set off, and bound the various tracts of land that heretofore have been appropriated, by the sachems of the Narragansett tribe of Indians, to that tribe, for their sole use, maintenance and support ; he, the sachem of said tribe, agreeing and consenting to give and execute a good and effectual deed to said tribe ; and also liberty of passing and re-passing on his lands to the pond and sea, for the advantage of fishing ; which the petitioners, in presence of the upper house of Assembly, agreed to accept of.

It is voted and resolved, that the King's proclamation of peace, be published on Monday, the 15th instant, in all the proper places within this colony, to the end that all His Majesty's trading subjects do take notice of his royal will and pleasure therein, and conform themselves thereto, accordingly.

. It is voted and resolved, that Thursday, the 25th instant, be appointed to be kept as a day of public thanksgiving throughout the colony ; and that His Honor the Governor be, and he is hereby requested to issue a proclamation, requiring the in-

habitants of this colony to assemble themselves together on that day, in their respective places of public worship, to give thanks to Almighty God, for vouchsafing to grant us an advantageous and honorable peace, and for other innumerable instances of his goodness; and forbidding all servile labor, sports, and pastimes on that day.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to transmit a copy of the billeting roll of the soldiers raised in this colony, to recruit the regular regiments in North America, to His Excellency Sir Jeffrey Amherst, and request payment of what is due thereon; and also to transmit to the general, the billeting rolls for the year 1757, in order for payment thereof.

Whereas, the General Assembly, at their session held at Newport, on the third Tuesday in September, A. D. 1762, passed an act for assessing and levying a tax of £8,000, lawful money, upon the inhabitants of this colony; and whereas, the town of Smithfield hath neglected assessing, levying and collecting the proportion of said tax, agreeably to the said act,—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that three months after the rising of this Assembly, is allowed to the town of Smithfield, to assess, levy, and collect their proportion of the said tax, and for paying the same into the general treasury; and that the said town of Smithfield be, and hereby is, fully empowered to do the same, according to the aforesaid act.

And be it further enacted by the authority aforesaid, that if the said town of Smithfield shall neglect or refuse to assess, collect, levy, and pay their proportion of said tax, by the said time, the said town of Smithfield shall pay a fine of £200, lawful money, to, and for the use of the colony, to be recovered by the general treasurer, by an action of the case against the town treasurer of said town, at any of the inferior courts of common pleas in this colony.

And be it further enacted by the authority aforesaid, that for the future, when and so often as any tax shall be voted by the General Assembly, to be assessed upon the inhabitants of

this colony, and either of the towns in the colony, shall neglect or refuse to assess and levy said tax upon the inhabitants of their respective towns, agreeably to such act, such town, so refusing or neglecting, shall pay a fine of double their proportion of said tax, into the general treasury, to be recovered by the general treasurer, by an action of the case against the town treasurer of such delinquent town, in any of the inferior courts of common pleas in the colony; that any town in the colony that shall neglect or refuse to assess, levy, and collect its proportion of the present tax, shall suffer the same penalty, to be recovered in the same manner.

And further, that any such delinquent town, notwithstanding its being fined, shall be obliged to pay its proportion of the tax.

God save the King.

Joseph Sherwood, agent for Rhode Island, in London, to the Governor of Rhode Island.

London, August 4, 1763.

Esteemed Friend:—Yesterday, I attended the lords of the treasury, in company with the rest of the agents, when we expected the Parliamentary grant for 1761, would be taken into consideration; but to our great disappointment, the lords declined that, and only went upon the £10,000, which was kept back last year, as particularly mentioned in my letter of 31st July, 1762.

The Massachusetts government claim this £10,000, for themselves, in consideration of their having garrisoned the forts of Louisbourg and Nova Scotia in the winter of 1759, and spring of 1760; and to support that claim, a certificate was produced from General Amherst; but that certificate not being positive and clear, as to the number of troops retained in that service, (although it does appear thereby, that a number of the Massachusetts troops really were employed for that service,) the same was vigorously opposed by other agents; when, at length, their lordships declared that unless the agents would agree about the distribution, the money should lie till General Amherst arrived, to explain his certificate, and the money remains in the treasury, accordingly.

Their lords promised to give us audience as to the grant for 1761, soon after the recess, which may be perhaps in six weeks; but when or how the money will be paid, is at present, uncertain.

It is rumored here, and I believe upon good foundation, that the government will expect a number of troops (some say ten thousand), to be kept on foot by, and at the sole expense of the American provinces, for their own preservation and safeguard, in order to prevent encroachments and hostilities.

I am, with great regard, &c., &c.,
To the Governor of Rhode Island.

JOSEPH SHERWOOD.

The Lords Commissioners of Trade and Plantations to the Governor and Company of Rhode Island.

Whitehall, September 28th, 1763.

Gentlemen:—His Majesty having appointed us his commissioners for promoting the trade of this kingdom, and for inspecting and improving His Majesty's foreign colonies and plantations, we take this, the earliest opportunity, of acquainting you therewith; and we have only further to add, that you will regulate your future correspondence conformably to the orders and instructions, copies of which were transmitted to you, with the board's letter of the 29th of April last.

We are, gentlemen, &c., &c.,

HILLSBOROUGH,
P. BACON,
GEO. RICE,

ORWELL,
SOAME JENYNS,
JOHN YORKE.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, on the last Wednesday in October, 1763.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

Whereas, several of the inhabitants of the town of Newport, preferred a petition, and represented unto this Assembly, that part of Thames street, in said town, lying between the houses of John Freebody and Martin Howard, Esqs., is become so bad, that, unless it be soon repaired, it will be extremely inconvenient to pass and re-pass; and thereupon, they prayed this Assembly, that a lottery may be granted, to raise the sum of £8,000, old tenor, in one or more classes, as the directors who may be appointed shall think proper; and that the said directors may be empowered to apply the money, so raised, to repaving that part of the street above mentioned, beginning at the house of the said John Freebody, and continuing the same until the whole shall be completed; on consideration whereof,—

It is voted and resolved, that the foregoing petition be, and the same is hereby, granted; and that Messrs. Stephen Ayrault,

John Tweedy, William Stevens, Samuel Fowler, Samuel Brenton, Solomon Townsend, George Gibbs and James Clarke, be, and they are hereby, appointed directors of the said lottery; and that they, or the major part of them, be empowered to raise the aforesaid sum of £8,000, by lottery, in one or more classes, as they shall think proper, and to apply the same, agreeably to the prayer of the said petition; the said directors giving bond, according to custom.

It is voted and resolved, that for the future, the secretary, for the time being, at all times when he sends copies of the acts and orders of the General Assembly to the several towns in the colony, be, and he is hereby, directed to send a copy of every act and order to the general treasurer, to be always kept in the treasurer's office, for the use of the colony.

It is voted and resolved, that the general treasurer be, and he is hereby, appointed to pay off all the soldiers now in His Majesty's service, in the pay of this colony, upon their return into this colony.

Whereas, the Hon. John Andrews, Esq., commissary and judge of His Majesty's court of vice admiralty, in this colony, did present unto this Assembly, at the session held at Newport, on the second Monday in June last, the following memorial, to wit:

Memorial of John Andrews, Judge of the Court of Vice Admiralty for Rhode Island.

To the Hon. the Governor and Company of the colony of Rhode Island and Providence Plantations, &c., who constitute the present General Assembly, now sitting at Newport, on the 13th day of June, A. D. 1763.

The memorial of John Andrews, Esq., commissary and judge of the court of vice admiralty, for the colony of Rhode Island and Providence Plantations, in New England, sheweth:

That whereas, on the 28th day of April, 1761, there was exhibited before the said vice admiralty court, for said colony, then sitting in Providence, two informations against sixty-seven hogsheads, four tierces and fifteen barrels of sugar, and said to be the growth and manufacture of the subjects of the French King, declared enemies of our sovereign lord the King of Great Britain, &c.; which sugar was alleged to have been imported in a lighter, and landed by one William Weston, in Providence, aforesaid, in said colony, without being legally entered with any of the offi-

cers of His Majesty's customs, dwelling in the said colony, against the form of the statutes made in the seventh and eighth years of the reign of King William the Third.

The first of which said informations was exhibited by William Metcalf, of Providence, aforesaid, mariner; claiming the one-third part of the said sugars for the use of our sovereign lord the King; one-third part, thereof, for the Hon. Stephen Hopkins, Esq., the then Governor of the said colony; and the other third part for him, the said William Metcalf, as being the first informer.

The second of the said informations was exhibited by Joseph Wanton, Esq., collector of His Majesty's customs, throughout said colony, claiming the one-third part of the said sugars for the use of His Majesty, aforesaid; and one-third part for the Hon. Stephen Hopkins, Esq., Governor, as aforesaid; and the other third part for himself, the said Joseph Wanton.

And he further alleged, upon the hearing the said cause, that, agreeably to the force and form of the said statutes in such case provided, no private person could be permitted informer, and thereby be entitled to the one-third part of any such goods so informed against, but that it belonged to the officers of His Majesty's customs only; and that was all the point ever disputed before the court.

Whereupon, on the 29th day of April, the court did proceed and publish an interlocutory decree, declaring the said sugars to be forfeited; and one-third part thereof, to be delivered for the use of His Majesty, his heirs, &c.; and the one-third part to the said Stephen Hopkins, Esq., Governor, as aforesaid; and for the further consideration of the point in dispute between the two informants, the court proceeded to adjourn from time to time; that after the best advice that could be had, and duly considering the statutes in such case provided, on the 25th day of September, A. D. 1761, the court adjourned to promulgate a final sentence and decree, whereby the other third part of said sugars was decreed to be the property of the said Joseph Wanton, Esq., and to be delivered, accordingly. And the court proceeded to examine and tax costs, according to the custom and usage of the high court of admiralty of England, in such cases stated and settled; and four hogheads and fifteen barrels of said sugars were ordered by the court to be sold at vendue, for the payment of all costs and necessary charges; and after payment of which, there appeared to remain in the hands of the vendue master, for the said sugars so sold, as aforesaid, £1,208, old tenor; which was ordered to be divided and delivered, agreeably to the aforesaid decree; from which final decree and proceedings of said court, no appeal was attempted to be asked for.

Notwithstanding, Samuel Nightingale, Esq., one of the justices of the superior court, for said colony, on the 2d day of October, A. D. 1761, issued a writ of prohibition; and the officers of the said vice admiralty court were served with the same, within seven days after the said final decree was promulgated, and before said decree could be fully executed; and thereby the whole of the proceedings was prohibited from being executed; which said writ of prohibition, was made returnable to the then next March term of said superior court, to be then held at said Providence; but at said March term, or any other term of said superior court since, no further proceedings upon said writ or of prohibition or judgment of said superior court thereon, hath been had.

Yet, nevertheless, your memorialist, at the last inferior court of common pleas, held at Providence, aforesaid, on the third Monday in December, A. D. 1762, was sued by the Governor and Company of the colony, aforesaid, for the time being, for

the third part of the £1,208, as aforesaid, (then, and now in the hands of the vendue master,) which was by the decree of the said vice admiralty court, decreed for the use of our said sovereign lord the King, claiming the same, as belonging and appertaining to the colony; at which said inferior court, your memorialist appeared, and filed a proper plea, in bar to said suit, which was overruled by said court, and a default entered; and then the justices of the said inferior court proceeded to enter up judgment, and did take upon themselves to examine the bill of costs and charges allowed and taxed by the vice admiralty court; and without ever seeing or having any knowledge of so much as one of the vouchers to support the necessary charges attending said proceedings, or the table of fees established by the high court of admiralty, of England, or ever so much as having any regard to the table of fees stated by the colony, in such case, did enter up judgment without law or precedent to be found in His Majesty's dominions against your memorialist, for the sum of £1,265 7s. 8d., old tenor; and granted execution against your memorialist, returnable to the next term of the said court for the same; whereby, all proceedings of said vice admiralty court, not only in this, but in all other causes, have been stopped; although there are now causes of great consequence pending before said vice admiralty court, unfinished.

Wherefore, your memorialist hopes Your Honors will take this matter under your wise consideration, and consider of what use or benefit His Majesty's commission in establishing a court of vice admiralty in this colony can be of, provided the commissary or judge, and officers of said court, are made liable to be sued before any of the inferior courts within said colony, by any persons dissatisfied with the decrees of said court, and there have the proceedings of said court examined, and the decrees rendered of no force at the captious will and mind of any persons dissatisfied; when at the same time the two courts are distinct, and governed (or ought to be) by as different laws and precedents as the two elements differ, they have each their jurisdiction over; and your memorialist would further request, that Your Honors would order the judgment of the said inferior court of common pleas to be set aside, and rendered null and void, and all proceedings thereon stayed; and order all due assistance to be given by the officers of the said colony, to the officers of the said court of vice admiralty, that said decrees published by said court, may be fully and finally executed without any further delay, agreeably to the tenor of His Majesty's commission for that purpose, wherein Your Honors and all other officers are strictly commanded to give all due aid and assistance. JOHN ANDREWS.

Which memorial having been referred for consideration from session to session, until the present session, and now being duly considered,—

It is voted and resolved, that Nicholas Tillinghast, Daniel Jenckes and James Angell, Esqs., be, and they are hereby, appointed a committee to examine into the subject matter of the foregoing memorial; that they examine and adjust the bill of cost; that what appears to the said committee to be in the hands of the memorialist, which he decreed to the King, be by him paid into the general treasury; that the general treasurer

give the memorialist such a discharge as he gave to the Hon. Stephen Hopkins, Esq., for what was in his hands of that part which was decreed to the King; and that the judgment of the inferior court be rendered null and void, and that the memorialist's decree be fully executed.

God save the King.

Public Acts passed during the year 1763.

[The following laws will be found at length in the printed "Schedules," or acts and resolves of the General Assembly, for the year 1763.]

An Act to naturalize Pierre Le Roy, a resident of Newport, and late a subject of the French king. (June.)

An Act for assessing a tax of £12,000, upon the inhabitants of this colony, for defraying its debts, and defraying the incidental charges of the government. (August.)

An Act for regulating the method of conveying and assessing real estates sold by execution, and for changing the form of the deed heretofore given and used by the sheriffs. (October.)

An Act empowering the general treasurer to dispose of £3,750, sterling, being part of the money granted by the crown, to the colonies. (October.)

An Act for regulating the assize of bread in this colony. (October.)

Gov. Fitch, of Connecticut, to the Governor of Rhode Island.

Norwalk, 4th October, 1763.

Sir:—I am favored with your letter of the 27th of last month, with the copy of the agreement made by the agents of the several colonies, respecting the distribution of the Parliamentary grant for the services of the year 1760; which agreement I had received some time before, from Mr. Jackson, the agent of this colony; but as it appears by that agreement, that the inequality of the distribution of the monies granted for that year's service, was to be rectified out of the grant for the services of the next year, *at the good pleasure of their lordships of the treasury, if to them it shall so seem meet*, as expressed in the agreement.

And as when that matter should be settled, I supposed the agent of this colony would not only think himself bound to fulfil the agreement, but also that he is fully empowered to do so, I had no thought of its being necessary to give him any orders for that purpose; and especially, as he has not signified any thing of that kind to me.

However, I shall lay the matter before the Assembly, from whom orders must be given, if needed; and no doubt they will do every thing necessary in that matter, that may be agreeable to honor and justice.

I am, sir, with great regard, &c., &c.

THOS. FITCH

To Gov. Hopkins.

The Governor of Rhode Island to Gen. Amherst.

Providence, October 10, 1763.

Sir :—After a long silence, it is once more become my duty to trouble Your Excellency with a letter.

In the winter last past, Lieutenant Edmund Newland raised a number of recruits in this colony, whose subsistence, while here, came to £42 14s. 4d., sterling, besides being furnished with provisions for their passage from Newport to New York. The billeting roll of those recruits, with Mr. Newland's certificate thereon, will herewith be laid before you.

By Your Excellency's directions, some time in the year past, a number of seamen who belonged to His Majesty's ship *Hussar*, when she was lost in the West Indies, were taken up in this colony; the expense of whose subsistence, while here, and their passage from hence to New York, amounting in the whole to £92 12s., New York currency, was paid by the colony; the accounts of the particulars of this expense, will also be laid before you. Those small sums, paid for His Majesty's service, I am directed to beg you would cause to be reimbursed.

I must now ask Your Excellency's pardon for troubling you once more with the old muster rolls of the year 1757, and a tedious history of this business from its commencement.

The Earl of Loudoun agreed with the commissioners of the several colonies, who met him at Boston in the beginning of the year 1757, to allow two shillings a week for the subsistence of each soldier, that should be raised by the colonies for that year's service. The colony of Rhode Island raised four hundred and fifty men, being its full quota. Before any account was presented for subsisting them, the Earl was removed from the command. The shortness of the command of his immediate successors, prevented any application to them in this matter. For these reasons, the first application for payment of those billeting rolls, was made to Your Excellency.

Those to whom you was pleased to refer them for examination, imagined they found some defect in the form of them, and therefore ordered them to be new drawn; which was accordingly done in New York, agreeably to their directions, and then sent to Rhode Island to be authenticated in the manner prescribed.

The rolls thus completed, were sent to Your Excellency a second time; but now Mr. Kilby made an objection that he had paid the colony £150, sterling, for the provisions it furnished those troops during their passage to Albany, for which he had no sufficient voucher, and desired it might be stopped out of the money due to the colony on those rolls. This, Your Excellency perceived would be doing the colony injustice, as those rolls did not include the time the soldiers were on their passage to Albany; and therefore directed the stoppage to be made in favor of Mr. Kilby, from other monies due to the colony; and those rolls again sent back, to be new drawn, and the time included those soldiers who were on their passage to Albany, as an equivalent for the money stopped for Mr. Kilby; this was also done, and these new rolls transmitted to Your Excellency a third time for payment.

And now, after three editions of those rolls, the first faulty, the second by order, and in the manner pointed out by those you appointed to that business, the third by Your Excellency's express directions; and the stoppage of £150, out of other

monies due to the colony, that it might be received again in the proper channel, by making the addition, abovesaid, to those rolls; after all this, to hear that the colony's claim to this money is totally inadmissible, must certainly occasion some surprise.

Therefore, as my duty obliges in behalf of the colony of Rhode Island, I must desire you would be pleased once more to take this affair into consideration; when I doubt not you will find the strongest reasons to direct the sum due to the colony agreeably to those rolls, to be paid, as certainly in justice it ought; all the other colonies concerned in the same service, having been paid long ago; and this having no other method to depend on, but Your Excellency's equity and justice.

With very great regard, I am, sir, &c., &c.,

STEP. HOPKINS.

To Sir Jeffrey Amherst.

The Lords Commissioners of Trade and Plantations to the Governor and Company of Rhode Island.

Whitehall, October 11th, 1763.

Gentlemen:—The lords commissioners of His Majesty's treasury, having represented to His Majesty, that they find, upon a consideration of the present state of the duties of customs imposed on His Majesty's subjects in America, that the revenue arising therefrom is very small and inconsiderable, having in no degree increased with the commerce of those countries, and is not yet sufficient to defray a fourth part of the expense necessary for collecting it; and that through neglect, connivance and fraud, not only the revenue is impaired, but the commerce of the colonies is diverted from its natural course, and the salutary provisions of many wise laws are in great measure defeated; His Majesty has commanded us to require and enjoin you, in the strictest manner, to make the suppression of the clandestine and prohibited trade with foreign nations, and the improvement of the revenue, the constant and immediate objects of your care; and by a vigorous discharge of the duty required of you by several acts of Parliament, and a due exertion of your legal authority, to give the officers of the revenue all possible protection and support; and that you do, from time to time, transmit such observations as occur to you, on the state of the illicit and contraband trade; and on the conduct of all persons, whose duty it is to prevent the same, in order that the necessary directions may be given for punishing such persons as shall appear to be guilty of any misbehaviour, and for correcting all abuses for the future.

We do therefore, recommend these His Majesty's commands to your most serious attention; not doubting but you will acquit yourselves in the execution of them, as becomes faithful and vigilant servants of the crown.

We are, gentlemen, &c., &c.,

HILLSBOROUGH,

R. BACON,

SOAME JENYNS,

JOHN YORKE.

To the Governor and Company of Rhode Island.

Admiral Colvill to the Governor of Rhode Island.

Romney, in Halifax harbor,
22d October, 1763.

Sir:—I have thought it necessary, for the encouragement of fair trade, by the prevention of smuggling, to station His Majesty's ship the Squirrel, under the command of Captain Richard Smith, for the approaching winter, at Newport, in your government; and I pray the favor of you to direct the civil magistrates, officers and all others within your jurisdiction, to give him their best assistance in the execution of his duty, whenever the same shall be required of them.

The complements of all the King's ships, are now reduced to their lowest establishment; and we can but ill bear to be further reduced by desertion; therefore, I have taken the liberty to send you (on the other side) an account of four deserters from the Alborough; desiring that you will cause the same to be published in your gazettes, and take such other methods as may appear to you most proper, for apprehending and delivering them on board one of His Majesty's ships; and I promise that a reward of forty shillings, sterling, shall be paid by the naval store keeper, at Halifax, for every deserter so delivered, upon producing a proper voucher from the captain who shall receive him, in order that the money may be charged against the delinquent's wages on the books of the ship from whence he deserted.

I am, sir, &c., &c.,

To Stephen Hopkins, Esq., Rhode Island.

COLVILL.

General Amherst to the Governor of Rhode Island.

New York, 17th November, 1763.

Sir:—Having obtained His Majesty's gracious permission to return to England, with orders to leave the command of the troops in this country, with Maj. Gen. Gage, I cannot take my leave of you, without thanking you for the readiness you have shown, upon every occasion, in forwarding and promoting the King's service, during my command; and I am sure I need not recommend a continuance thereof to my successor, who will be glad to correspond and co-operate with you in every thing that can tend to the good of the service, or country, and that may lay in his power to promote.

I am, with great regard, sir, &c., &c.,

JEFF. AMHERST.

To the Honorable the Governor of Rhode Island.

Gen. Gage to the Governor of Rhode Island.

New York, 6th December, 1763.

Sir:—Sir Jeffrey Amherst, having found it indispensably necessary for the effectual suppression of the devastations made by the savages, to require an aid of men from some of the provinces, for the service of the next year; that they might, in conjunction with such of His Majesty's regular troops as can be collected, carry the war into the heart of the Indian country, in order to punish the savages, who have been guilty of such perfidious and cruel massacres, and thereby obtain a peace which shall be lasting and durable:—

The said requisition has been laid before the Assembly of New York, who show a readiness to furnish their quota of any number of men that shall be thought necessary; but think it reasonable that the New England governments should be called upon to assist in the manner constantly practiced during the late war; and in the interim, have resolved to raise *three hundred men* to protect the communication between Albany and Oswego.

The success of these measures now depends on the resolves of the New England governments; and it behoves me, as having succeeded Sir Jeffrey Amherst in the command of His Majesty's forces in North America, in order that a service so essential to the future interest and happiness of all the colonies should not be disappointed, to make application to your province for a supply of troops for the service of the next year, that I may be enabled to assemble a respectable body of troops, early in the spring, at Niagara, to punish the savages in those parts, who have so treacherously commenced, and are now carrying on hostilities against us; and as Sir Jeffrey Amherst has also required a number of men of the southward provinces, to act towards the Ohio, I trust they will raise a body of men sufficient to chastise the Shawnese and Delawares, and other tribes on that side.

I doubt not that you will think it consistent with sound policy, humanity and brotherly affection, that every province should in time of calamity cheerfully contribute their quotas for the mutual assistance of each other; and that you will, if there's occasion, enforce these principles to your Council and Assembly, from whom I am to hope a favorable reception of this requisition, when I consider the readiness your government has shown on former occasions in forwarding and promoting the public service; and I am to beg of you, that it may be laid before them, for their determination thereupon, as soon as possible.

The demand I am to make from your colony, is, of two hundred men, formed into one battalion of four companies, under the command of a field officer, who may be of the rank of major, and each company to consist of a captain, two subalterns and fifty men; the service in which they will be employed, requires a good number of officers.

The men may be clothed lightly; a cloth jacket, flannel waistcoat and leggins; and it will be necessary that the whole shall be raised and ready to proceed to Albany, by the 1st of March next.

Particular care should be taken, that in recruiting the men, none should be raised but such as are able bodied; neither too young, or too old, but fit for the most active and alert service.

Although by an order from home, the regular troops are subject to a stoppage for the provisions issued to them, belonging to the crown, yet, upon this occasion, I will take upon me to order provisions to the provincial troops, that shall be raised and take the field; and they shall likewise be provided with arms, unless any of them choose to bring their own arms; for which, they shall have the same allowance as was made in former campaigns, should any of them be lost or damaged in actual service; tents will also be furnished to them as formerly.

The time of service, may be limited to the 1st of November; although it is much to be hoped every thing will be finished long before that period; in which case, the men will be sent back to their colony.

I am, with great regard, sir, &c., &c.,

THOS. GAGE.

To the Hon. Governor Hopkins.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the 24th day of January, 1764.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to transmit, as soon as may be, copies of the remonstrance now lying before this Assembly, respecting the act passed in the sixth year of the reign of His late Majesty, George the Second, commonly called the sugar act, duly authenticated under the seal of the colony, to Joseph Sherwood, Esq., the agent for this colony, in Great Britain, and direct him to present the same to the Right Honorable the lords commissioners for trade and the plantations; and to take the most effectual measures, in conjunction with the agents of the northern colonies, to accomplish the purposes intended by the said remonstrance; provided, the agents of the northern colonies, that is, from Pennsylvania to New Hampshire, inclusive, or any three of them, unite with him in the same; and also, that His Honor the Governor, be, and he is hereby, requested to write to the Right Honorable the lords commissioners upon the same subject.

God save the King.

Remonstrance of the Colony of Rhode Island to the Lords Commissioners of Trade and Plantations.

To the Right Honorable the Lords Commissioners for Trade and Plantations; humbly show:

The Governor and Company of the English colony of Rhode Island and Providence Plantations, in New England, in America, convened at South Kingstown, the 24th day of January, A. D., 1764, in behalf of themselves and their constituents, the merchants, planters and traders in said colony—

That the act passed in the sixth year of the reign of His late Majesty George II., commonly called the sugar act, being to expire at the end of the present session of Parliament; and as the same, if continued, may be highly injurious and detrimental to all His Majesty's North American colonies in general, and to this colony in particular, the said Governor and Company presume to offer some considerations drawn from the particular state and circumstances of said colony, against the renewal of said act.

In doing this, it is hoped that the interest and advantage of the mother country, will be found to coincide with that of the colony, in the extinction of a law, conceived to be prejudicial to both.

The colony of Rhode Island included not a much larger extent of territory than about thirty miles square; and of this, a great part is a barren soil, not worth the expense of cultivation; the number of souls in it, amount to forty-eight thousand, of which the two sea-port towns of Newport and Providence, contain near one-third. The colony hath no staple commodity for exportation, and does not raise provisions sufficient for its own consumption; yet, the goodness of its harbors, and its convenient situation for trade, agreeing with the spirit and industry of the people, hath in some measure supplied the deficiency of its natural produce, and provided the means of subsistence to its inhabitants.

By a moderate calculation, the quantity of British manufactures and other goods of every kind imported from Great Britain, and annually consumed in this colony, amount at least to £120,000, sterling, part of which is imported directly into the colony; but as remittances are more easily made to the neighboring provinces of the Massachusetts Bay, Pennsylvania and New York, than to Great Britain, a considerable part is purchased from them.

This sum of £120,000, sterling, may be considered as a debt due from the colony, the payment of which is the great object of every branch of commerce, carried on by its inhabitants, and exercises the skill and invention of every trader.

The only articles produced in the colony, suitable for a remittance to Europe, consist of some flax seed and oil, and some few ships built for sale; the whole amounting to about £5,000, sterling, per annum. The other articles furnished by the colony for exportation, are some lumber, cheese and horses; the whole amount of all which together bears but a very inconsiderable proportion to the debt contracted for British goods. It can therefore be nothing but commerce which enables us to pay it.

As there is no commodity raised in the colony suitable for the European market, but the few articles aforementioned; and as the other goods raised for exportation, will answer at no market but in the West Indies, it necessarily follows that the trade thither must be the foundation of all our commerce; and it is undoubtedly true, that solely from the prosecution of this trade with the other branches that are pursued in consequence of it, arises the ability to pay for such quantities of British goods.

It appears from the custom house books, in Newport, that from January, 1763, to January, 1764, there were one hundred and eighty-four sail of vessels bound on foreign voyages; that is, to Europe, Africa and the West Indies; and three hundred and fifty-two sail of vessels employed in the coasting trade; that is, between Georgia and Newfoundlaud, inclusive; which, with the fishing vessels, are navigated by at least twenty-two hundred seamen.

Of these foreign vessels, about one hundred and fifty are annually employed in

the West India trade, which import into this colony about fourteen thousand hogsheads of molasses; whereof, a quantity, not exceeding twenty-five hundred hogsheads, come from all the English islands together.

It is this quantity of molasses which serves as an engine in the hands of the merchant to effect the great purpose of paying for British manufactures; for part of it is exported to the Massachusetts Bay, to New York and Pennsylvania, to pay for British goods, for provisions and for many articles which compose our West India cargoes; and part to the other colonies, southward of these last mentioned, for such commodities as serve for a remittance immediately to Europe; such as rice, naval stores, &c., or such as are necessary to enable us to carry on our commerce; the remainder (besides what is consumed by the inhabitants,) is distilled into rum, and exported to the coast of Africa; nor will this trade to Africa appear to be of little consequence, if the following account of it be considered.

Formerly, the negroes upon the coast were supplied with large quantities of French brandies; but in the year 1723, some merchants in this colony first introduced the use of rum there, which, from small beginnings soon increased to the consumption of several thousand hogsheads yearly; by which the French are deprived of the sale of an equal quantity of brandy; and as the demand for rum is annually increasing upon the coast, there is the greatest reason to think, that in a few years, if this trade be not discouraged, the sale of French brandies there will be entirely destroyed. This little colony, only, for more than thirty years past, have annually sent about eighteen sail of vessels to the coast, which have carried about eighteen hundred hogsheads of rum, together with a small quantity of provisions and some other articles, which have been sold for slaves, gold dust, elephants' teeth, camwood, &c. The slaves have been sold in the English islands, in Carolina and Virginia, for bills of exchange, and the other articles have been sent to Europe; and by this trade alone, remittances have been made from this colony to Great Britain, to the value of about £40,000, yearly; and this rum, carried to the coast, is so far from prejudicing the British trade thither, that it may be said rather to promote it; for as soon as our rum vessels arrive, they exchange away some of the rum with the traders from Britain, for a quantity of dry goods, with which each of them sort their cargoes to their mutual advantage.

Besides this method of remittance by the African trade, we often get bills of exchange from the Dutch colonies of Surinam, Barbice, &c.; and this happens when the sales of our cargoes amount to more than a sufficiency to load with molasses; so that, in this particular, a considerable benefit arises from the molasses trade, for these bills being paid in Holland, are the means of drawing from that republic so much cash yearly, into Great Britain, as these bills amount to.

From this deduction of the course of our trade, which is founded in exact truth, it appears that the whole trading stock of this colony, in its beginning, progress and end is uniformly directed to the payment of the debt contracted by the importation of British goods; and it also clearly appears, that without this trade, it would have been and always will be, utterly impossible for the inhabitants of this colony to subsist themselves, or to pay for any considerable quantity of British goods.

It hath been observed before, that of fourteen thousand hogsheads of molasses annually brought into this colony, not more than twenty-five hundred have been imported from the English islands; and it may be further added, that all these islands together do not make for exportation, more than two-thirds of the quantity of molasses annually imported into this colony for many years past. Of conse-

quence, about eleven thousand five hundred hogsheads must have been brought from foreign plantations.

The present price of molasses is about twelve pence, sterling, per gallon; at which rate, only, it can be distilled into rum for exportation; wherefore, if a duty should be laid on this article, the enhanced price may amount to a prohibition; and it may with truth be said, that there is not so large a sum of silver and gold circulating in the colony, as the duty imposed by the aforesaid act upon foreign molasses, would amount to in one year, which makes it absolutely impossible for the importers to pay it.

It ought further to be considered, that the produce of His Majesty's northern colonies, especially those of New England, is near alike, and that the British West India islands are not, nor in the nature of things, ever can, be able to consume the produce of the said colonies; and therefore, if they cannot export it, (which they never can, unless they are allowed to bring molasses home) a very great part of the produce of the said colonies must be entirely lost.

This colony, by the misfortunes it suffered in trade during the late war, but above all, by the great expenses they were at in raising, paying and clothing a number of men who served against His Majesty's enemies, (in which they manifested a spirit and loyalty far exceeding their ability,) is greatly reduced in its circumstances, and now actually labors under a debt, contracted solely by carrying on the war, of near £70,000, sterling, for which it annually pays a large interest; and has the greatest need of all manner of countenance and support, to enable it to pay this vast debt, and to retrieve its circumstances.

But, on the contrary, should the aforesaid act be revived and carried into execution, the colony will be reduced to the most deplorable condition.

There are upwards of thirty distil houses, (erected at a vast expense; the principal materials of which, are imported from Great Britain.) constantly employed in making rum from molasses. This distillery is the main hinge upon which the trade of the colony turns, and many hundreds of persons depend immediately upon it for a subsistence. These distil houses, for want of molasses, must be shut up, to the ruin of many families, and of our trade in general; particularly, of that to the coast of Africa, where the French will supply the natives with brandy, as they formerly did. Two-thirds of our vessels will become useless, and perish upon our hands: our mechanics, and those who depend upon the merchant for employment, must seek for subsistence elsewhere; and what must very sensibly affect the present and future naval power and commerce of Great Britain, a nursery of seamen, at this time consisting of twenty-two hundred, in this colony only, will be in a manner destroyed; and as an end will be put to our commerce, the merchants cannot import any more British manufactures, nor will the people be able to pay for those they have already received.

It having been shown that this trade is of the utmost importance to this colony; that the great consumption of British goods, which is continually increasing at a great rate, compels us to prosecute this trade, as having no other means wherewith to pay for those goods; and the same arguments holding pretty generally true with respect to most all the other British colonies upon the continent of North America, it remains only to show that this trade is in nowise disadvantageous to Great Britain, and that the English islands are not injured by it, and have no reason to complain of it.

This intercourse between the northern colonies and the foreign plantations in

the West Indies, as it is the great cause of the consumption of British manufactures, cannot be thought to prejudice the interest of Great Britain, unless it be made to appear that it encourages and promotes the growth of foreign plantations, especially those of the French, of whose improvements we should undoubtedly be very jealous.

That this is not the case, will appear, if it be considered that the cargoes carried from hence to the French islands, consist of horses, lumber and fish; nor will the French permit us to import any other articles to their colonies, save some trifles not worth mentioning; that the horses we send them, serve rather for luxury than any real use in the plantation service, and that they may be, and are, supplied with mules and horses from the Spanish Main; that the fish we send them, is of an inferior quality, and will not suit the European market; and that if they are not suffered to purchase their fish from us, it will naturally tend to increase the shipping and seamen of France, as they will be obliged to prosecute the fishery themselves; that if we do not supply them with lumber, they can procure it from the Mississippi, or have it brought in their ships from France, which generally come out not half loaded; and that the sole reason of the French purchasing any of the above articles from us, is, because they can pay for them in molasses, a commodity at present of but little value to them, although of the greatest consequence to us; add to all this, if we are prevented from purchasing their molasses, they will naturally increase their distillery, and make it into rum, and export it elsewhere themselves, especially to Mississippi; by means of which river, great quantities may, and will be vended among the various tribes of Indians, which will increase their shipping and seamen, and greatly interfere with the interest of Great Britain; and more especially, as by means of the trade with the Indians, they may gain such an influence over them, as may be attended with pernicious consequences in case of a future war.

The English West Indies, so far from receiving any prejudice by the trade of the northern colonies, to foreign plantations, have improved greatly in their circumstances since this trade has been prosecuted. If the prices of commodities carried to the islands from hence, and of their produce brought back in exchange, be examined for thirty years past, it will evidently appear from authentic accounts, sales and invoices, that the price of northern commodities sent them, has decreased forty or fifty per cent.; and the price of their produce bought by us, has increased in the same or a greater proportion; so that, notwithstanding our trade with foreign plantations, the profit of the West India planters hath been continually increasing; while ours during the same period, hath been gradually sinking. This circumstance alone is sufficient to prove that the British sugar islands are not prejudiced by our trade to foreign plantations.

Jamaica is the only English island that now supplies us with molasses (excepting the new acquisition of the Grenades, which affords a small quantity of an inferior quality); and it can be proved by undoubted testimony, that even from thence our vessels have been frequently obliged to bring back money, because molasses was not to be had; and this has happened in the course of a few years, while the trade from the northern colonies to foreign plantations was at the highest.

The West India planters cannot with justice complain, if we purchase from others what they cannot supply us with; and what ought still further to silence their complaints, is, that in the article of sugar, which is their first and most material staple, they can receive no prejudice by our trade to foreign plantations; for

it is well known that the policy both of the French and Dutch has confined the trade of sugar to themselves ; so that we never obtain any of that commodity from them, save now and then a small quantity of an ordinary kind, which is generally procured (not without hazard) by the assistance and address of those merchants there who help us in the transaction of our business.

From hence, it is evident, that the British islands will remain in possession of all the profit and advantage arising from the article of sugar, should the law we complain of, be discontinued.

From the facts and arguments contained in the foregoing representation, it is submitted to Your Lordships, whether the renewal of the said law may not, instead of answering any useful purposes, be highly injurious to the interest both of Great Britain and these northern colonies.

Resolved, that His Honor the Governor be requested to transmit, as soon as may be, copies of the foregoing remonstrance, authenticated under the seal of the colony, to Joseph Sherwood, Esq., the agent for this colony, in Great Britain, and direct him to present the same to the lords commissioners for trade and plantations, and take the most effectual measures, in conjunction with the agents of the northern colonies, to accomplish the purposes intended by the remonstrance ;—

Provided, that the agents of the northern colonies, that is, from Pennsylvania to New Hampshire, inclusive, or any three of them, unite with him in the same ; and that His Honor the Governor, be also requested to write to the lords commissioners of trade and the plantations, respecting the subject matter of the said memorial.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the last Monday of February, 1764.

The Hon. Stephen Hopkins, Governor.

The Hon. John Gardner, Deputy Governor.

It is voted and resolved, that all persons who have in their hands any lawful money bills emitted by this colony, in June, 1759, may bring the same to the general treasurer within six months after the rising of this Assembly, in order to be redeemed with silver and gold; that all persons who shall neglect to bring the said bills to the general treasurer within said time, shall lose the benefit of having them changed; and that the general treasurer be, and he is hereby, directed to give public notice thereof, in the Newport Mercury and Providence Gazette, three weeks successively.

Whereas, complaint hath been made to this Assembly against Allin Brown, Esq., sheriff of the county of Providence, for not doing his duty in said office,—

It is therefore voted and resolved, that the said Allin Brown be cited to appear before this Assembly immediately, to answer the said complaint.

Whereas, Mr. John Franklin, preferred a petition, and represented unto this Assembly, that he hath for several years past, at a great expense, endeavored to keep the wharf at his ferry, in good order, for the safe conduct of travellers; that the situation of it is such, that all his pains and expense hath proved fruitless; and that the expense of doing it effectually, is more than he is able to bear; that he believes, if an addition of about forty feet be carried out from his pier, it would effectually secure the said wharf, and would be of great service to vessels coming from sea in bad weather; and that his cir-

cumstances are such, that he is not able to make the said addition without some assistance from the public; and thereupon, the said John Franklin prayed this Assembly, that he may have the liberty of setting up a lottery, consisting of three classes, to raise the sum of £300, lawful money, for the purpose aforesaid; that Robert Potter, of Charlestown, Esq., Mr. Stephen Hazard, Jr., and Peter Phillips, Esq., may be appointed directors of the said lottery; and that some suitable person may be appointed to apply said money to the use, aforesaid; and the premises being duly considered,—

It is voted and resolved, that the prayer of the said John Franklin, in the foregoing petition contained, be, and the same is hereby, granted.

Both houses being resolved into a grand committee, the Hon. Joseph Wanton, Jr., Esq., was chosen Deputy Governor, in the room of the Hon. John Gardner, Esq., deceased, to serve the colony the remaining part of the year; and His Honor soon after appeared, and took the engagement prescribed by law.

Incorporation of Brown University.

An Act for the establishment of a college, or university, within this colony.

Whereas, institutions for liberal education are highly beneficial to society, by forming the rising generation to virtue, knowledge and useful literature, and thus preserving in the community a succession of men duly qualified for discharging the offices of life with usefulness and reputation; they have therefore justly merited and received the attention and encouragement of every wise and well regulated state; and whereas, a public school or seminary, erected for that purpose, within this colony, to which the youth may freely resort for education in the vernacular and learned languages and in the liberal arts and sciences, would be for the general advantage and honor of the government; and whereas, Daniel Jenckes, Esq., Nicholas Tillinghast, Esq., Nicholas Gardner, Esq., Col. Josias Lyndon, Col. Elisha Reynolds, Peleg Thurston, Esq., Simon Pease, Esq., John Tillinghast, Esq., George Hazard, Esq., Col. Job Bennett, Nicholas Easton, Esq., Arthur Fenner, Esq., Mr. Ezekiel Gardner, Mr. John Waterman, Mr. James Barker, Jr., Mr. John Holmes, Solomon Drown, Esq., Mr. Samuel Winsor, Mr. Joseph Sheldon, Charles Rhodes, Esq., Mr. Nicholas Brown, Col. Barzillai Richmond, Mr. John Brown, Mr. Gideon Hoxsey, Mr. Thomas Eyres, Mr. Thomas Potter, Jr., Mr. Peleg Barker, Mr. Edward Thurston, Mr. William Redwood, Joseph Clarke, Esq., Mr. John G. Wanton and Mr. Thomas Robinson, with many other persons, appear as undertakers in the valuable design; and thereupon, a petition hath been preferred to this Assembly, praying that full liberty and power may be granted unto such of them, with others, as are

hereafter mentioned, to found, endow, order and govern a college, or university, within this colony; and that, for the more effectual execution of this design, they may be incorporated into one body politic, to be known in the law, with the powers, privileges and franchises, necessary for the purpose, aforesaid.

Now, therefore, know ye, that, being willing to encourage and patronize such an honorable and useful institution, we, the said Governor and Company, in General Assembly convened, do for ourselves and our successors, in and by virtue of the power and authority, within the jurisdiction of this colony, to us by the royal charter granted and committed,—

Enact, grant, constitute, ordain and declare, and it is hereby enacted, granted, constituted, ordained and declared, that the Hon. Stephen Hopkins, Esq., the Hon. Joseph Wanton, Jr., Esq., the Hon. Samuel Ward, Esq., the Hon. William Ellery, Esq., John Tillinghast, Esq., Simon Pease, Esq., James Honyman, Esq., Nicholas Easton, Esq., Nicholas Tillinghast, Esq., Darius Sessions, Esq., Joseph Harris, Esq., Francis Willet, Esq., William Logan, Esq., Daniel Jenckes, Esq., George Hazard, Esq., Nicholas Brown, Esq., Jeremiah Niles, Esq., Joshua Babcock, Esq., Mr. John G. Wanton, the Rev. Edward Upham, the Rev. Jeremiah Condy, the Rev. Marmaduke Brown, the Rev. Gardner Thurston, the Rev. Ezra Stiles, the Rev. John Greaves, the Rev. John Maxson, the Rev. Samuel Winsor, the Rev. John Gano, the Rev. Morgan Edwards, the Rev. Isaac Eaton, the Rev. Samuel Stillman, the Rev. Samuel Jones, the Rev. James Manning, the Rev. Russel Mason, Col. Elisha Reynolds, Col. Josias Lyndon, Col. Job Bennet, Mr. Ephraim Bowen, Joshua Clarke, Esq., Capt. Jonathan Slade, John Taylor, Esq., Mr. Robert Shettel Jones, Azariah Dunham, Esq., Mr. Edward Thurston, Jr., Mr. Thomas Eyres, Mr. Thomas Hazard and Mr. Peleg Barker, or such, or so many of them as shall, within twelve months from the date hereof, accept of this trust, and qualify themselves as hereinafter directed, and their successors, shall be forever hereafter one body corporate and politic, in fact and name, to be known in law by the name of Trustees and Fellows of the College, or University, in the English colony of Rhode Island and Providence Plantations, in New England, in America; the trustees and fellows, at any time hereafter, giving such more particular name to the college, in honor of the greatest and most distinguished benefactor, or otherwise, as they shall think proper; which name, so given, shall, in all acts, instruments and doings of said body politic, be superadded to their corporate name, aforesaid, and become a part of their legal appellation, by which it shall be forever known and distinguished; and that, by the same name, they and their successors, chosen by themselves, as hereafter prescribed, shall, and may, have perpetual succession; and shall, and may, be persons able and capable in the law, to sue and to be sued, to plead and to be impleaded, to answer and to be answered unto, to defend and to be defended against, in all and singular suits, causes, matters, actions and doings, of what kind soever; and also to have, take, possess, purchase, acquire, or otherwise receive and hold lands, tenements, hereditaments, goods, chattels, or other estates; of all which they may, and shall, stand and be seized, notwithstanding any misnomer of the college, or the corporation thereof; and by whatever name; or however imperfectly the same shall be described in gift, bequests, and assignments, provided the true intent of the assignor or benefactor be evident; also the same to grant, demise, aliene, lease, use, manage, and improve, according to the tenor of the donations, and to the purposes, trusts, and to which they shall be seized thereof; and full liberty, power, and authority is hereby granted unto the said trustees and fel-

lows, and their successors, to found a college, or university, within this colony, for promoting the liberal arts, and universal literature; and with the monies, estates, and revenues of which they shall from time to time become legally seized, as aforesaid, to endow the same; and erect the necessary buildings and edifices thereof, on such place within this colony as they shall think convenient; and generally to regulate, order, and govern the same, appoint officers, and make laws, as herein-after prescribed; and hold, use, and enjoy all the liberties, privileges, exemptions, dignities, and immunities, enjoyed by any college, or university, whatever.

And furthermore, that the said trustees and fellows, and their successors, shall, and may, forever hereafter have a public seal, to use for all causes, matters, and affairs whatever of them and their successors, and the same seal to alter, break, and make anew, from time to time, at their will and pleasure; which seal shall always be deposited with the president, or senior fellow.

And furthermore, by the authority aforesaid, it is hereby enacted, ordained and declared, that it is now, and at all times hereafter shall continue to be, the unalterable constitution of this college, or university, that the corporation thereof shall consist of two branches, to wit: that of the trustees, and that of the fellowship, with distinct, separate, and respective powers; and that the number of the trustees shall, and may be, thirty-six; of which, twenty-two shall forever be elected of the denomination called Baptists, or Antipædobaptists; five shall forever be elected of the denomination called Friends, or Quakers; four shall forever be elected of the denomination called Congregationalists, and five shall forever be elected of the denomination called Episcopalians; and that the succession in this branch shall be forever chosen and filled up from the respective denominations in this proportion, and according to these numbers, which are hereby fixed, and shall remain to perpetuity immutably the same; and that the said Stephen Hopkins, Joseph Wanton, Samuel Ward, William Ellery, John Tillinghast, Simon Pease, James Honyman, Nicholas Easton, Nicholas Tillinghast, Darius Sessions, Joseph Harris, Francis Willett, Daniel Jenckes, George Hazard, Nicholas Brown, Jeremiah Niles, John G. Wanton, Joshua Clarke, Gardner Thurston, John Greaves, John Maxson, John Gano, Samuel Winsor, Isaac Eaton, Samuel Stillman, Russel Mason, Elisha Reynolds, Josias Lyndon, Job Bennet, Ephraim Bowen, John Taylor, Jonathan Slade, Robert Shettell Jones, Azariah Dunham, Edward Thurston, Jr. and Peleg Barker; or such, or so many of them as shall qualify themselves, as aforesaid, shall be, and they are hereby declared and established the first and present trustees. And that the number of the fellows, inclusive of the president (who shall always be a fellow), shall, and may be, twelve; of which, eight shall be forever elected of the denomination called Baptists, or Antipædobaptists; and the rest indifferently of any or all denominations; and that the Rev. Edward Upham, the Rev. Jeremiah Condy, the Rev. Marmaduke Brown, the Rev. Morgan Edwards, the Rev. Ezra Stiles, the Rev. Samuel Jones, the Rev. James Manning, William Logan, Esq., Joshua Babcock, Esq., Mr. Thomas Eyres, and Mr. Thomas Hazard, or such, or so many of them as shall qualify themselves, as aforesaid, shall be, and they are hereby, declared the first and present fellows and fellowship, to whom the president, when hereafter elected, (who shall forever be of the denomination called Baptists, or Antipædobaptists), shall be joined to complete the number.

And furthermore, it is declared and ordained, that the succession in both branches shall at all times hereafter be filled up and supplied according to these numbers, and this established and invariable proportion from the respective de-

nominations, by the separate election of both branches of this corporation, which shall at all times sit and act by separate and distinct powers; and in general, in order to the validity and consummation of all acts, there shall be in the exercise of their respective, separate and distinct powers, the joint concurrence of the trustees and fellows, by their respective majorities, except in adjudging and conferring the academical degrees, which shall forever belong, exclusively, to the fellowship, as a learned faculty.

And furthermore, it is constituted, that the instruction and immediate government of the college, shall forever be, and rest, in the president and fellows, or fellowship.

And furthermore, it is ordained, that there shall be a general meeting of the corporation on the first Wednesday in September, annually, within the college edifice, and until the same be built, at such place as they shall appoint, to consult, advise and transact the affairs of the college or university; at which, or at any other time, the public commencement may be held and celebrated; and that on any special emergencies, the president, with any two of the fellows, or any three of the fellows, exclusive of the president, may convoke, and they are hereby empowered to convoke an assembly of the corporation, on twenty days' notice; and that in all meetings, the major vote of those present of the two branches, respectively, shall be deemed their respective majorities, aforesaid; provided, that not less than twelve of the trustees, and five of the fellows, be a quorum of their respective branches; that the president, or, in his absence, the senior fellow present, shall always be moderator of the fellows; that the corporation, at their annual meetings, once in three years, or oftener, in case of death or removal, shall, and may choose a chancellor of the university, and treasurer, from among the trustees, and a secretary from among the fellows; that the nomination of the chancellor shall be in the trustees, whose office shall be only to preside as a moderator of the trustees; and that in his absence, the trustees shall choose a moderator for the time being, by the name of vice chancellor; and at any of their meetings, duly formed, as aforesaid, shall, and may be, elected a trustee or fellow, or trustees, or fellows, in the room of those nominated in this charter, who may refuse to accept, or in the room of those who may die, resign, or be removed.

And furthermore, it is enacted, ordained and declared, that this corporation, at any of their meetings regularly convened, as aforesaid, shall, and may, elect and appoint the president and professors of languages and the several parts of literature; and upon the demise of him or them, or either of them, their resignation or removal from his or their office, for misdemeanor, incapacity, or unfaithfulness, (for which he or they are hereby declared removeable by this corporation,) others to elect and appoint in their room and stead; and at such meeting, upon the nomination of the fellows, to elect and appoint tutors, stewards, butlers, and all such other officers usually appointed in colleges or universities, as they shall find necessary, and think fit to appoint for the promoting liberal education, and the well ordering the affairs of this college; and them, or any of them, at their discretion to remove, and substitute others in their places; and in case any president, trustee or fellow, shall see cause to change his religious denomination, the corporation is hereby empowered to declare his or their place or places vacant, and may proceed to fill up it or them, accordingly, as before directed; otherwise, each trustee and fellow, not an officer of instruction, shall continue in his office during life, or until resignation.

And further, in case either of the religious denominations should decline taking

a part in this catholic, comprehensive and liberal institution, the trustees and fellows shall, and may, complete their number, by electing from their respective denominations, always preserving their respective proportions herein before prescribed and determined; and all elections shall be by ballot or written suffrage; and that a quorum of four trustees and three fellows may transact any business, excepting placing the college edifice, election of trustees, president, fellows and professors; that is to say: so that their acts shall be of force and validity until the next annual meeting, and no longer.

And it is further enacted and ordained by the authority aforesaid, that each trustee and fellow, as well those nominated in this charter, as all that shall hereafter be duly elected, shall, previous to their acting in a corporate capacity, take the engagement of allegiance prescribed by the law of this colony to His Majesty King George the Third, his heirs and rightful successors to the crown of Great Britain; which engagement shall be administered to the present trustees and fellows, by the Governor or Deputy Governor of this colony, and to those from time to time hereafter elected by their respective moderators, who are hereby empowered to administer the same.

And still more clearly to define and ascertain the respective powers of the two branches, on making and enacting laws,—

It is further ordained and declared, that the fellowship shall have power, and are hereby empowered from time to time, and at all times hereafter, to make, enact and publish all such laws, statutes, regulations and ordinances, with penalties, as to them shall seem meet, for the successful instruction and government of the said college or university, not contrary to the spirit, extent, true meaning and intention of the acts of the British Parliament, or the laws of this colony; and the same laws, statutes and ordinances to repeal; which laws, and the repeals thereof, shall be laid before the trustees, and with their approbation, shall be of force and validity, but not otherwise.

And further, the trustees and fellows, at their meetings, aforesaid, shall ascertain the salaries of the respective officers, and order the monies assessed on the students for tuition, fines and incidental expenses, to be collected by the steward, or such other officer as they shall appoint to collect the same; and the same, with their revenues, and other college estates in the hands of the treasurer, to appropriate in discharging salaries and other college debts; and the college accounts shall be annually audited and adjusted in the meeting of the corporation.

And furthermore, it is hereby enacted and declared, that into this liberal and catholic institution, shall never be admitted any religious tests; but on the contrary, all the members hereof, shall forever enjoy full, free, absolute, and uninterrupted liberty of conscience; and that the places of professors, tutors, and all other officers, the president alone excepted, shall be free and open for all denominations of Protestants; and that youth of all religious denominations, shall, and may, be freely admitted to the equal advantages, emoluments, and honors of the college or university; and shall receive a like, fair, generous, and equal treatment during their residence therein, they conducting themselves peaceably, and conforming to the laws and statutes thereof; and that the public teaching, shall, in general, respect the sciences; and that the sectarian differences of opinions, shall not make any part of the public and classical instruction; although all religious controversies may be studied freely, examined and explained by the president, professors and tutors, in a personal, separate, and distinct manner, to the youth of any or each

denomination ; and above all, a constant regard be paid to, and effectual care taken of, the morals of the college.

And furthermore, for the honor and encouragement of literature, we constitute and declare, the fellowship, aforesaid, a learned faculty ; and do hereby give, grant unto, and invest them and their successors with, full power and authority, and they are hereby authorized and empowered, by their president, and in his absence, by the senior fellow, or one of the fellows appointed by themselves at the anniversary commencement, or at any other times, and at all times hereafter, to admit to, and confer any and all the learned degrees, which can or ought to be given and conferred in any of the colleges or universities in America ; or any such other degrees of literary honor as they shall devise, upon any and all such candidates and persons as the president and fellows, or fellowship, shall judge worthy of the academical honors ; which power of conferring degrees, is hereby restricted to the learned faculty, who shall, or may, issue diplomas, or certificates, of such degrees, or confer degrees by diplomas, and authenticate them with the public seal of the corporation, and the hands of the president and secretary, and of all the professors, as witnesses, and deliver them to the graduates as honorable and perpetual testimonies.

And furthermore, for the greater encouragement of this seminary of learning, and that the same may be amply endowed and enfranchised with the same privileges, dignities and immunities enjoyed by the American colleges, and European universities,—

We do grant, enact, ordain and declare, and it is hereby granted, enacted, ordained and declared, that the college estate, the estates, persons, and families of the president and professors, for the time being, lying and being within the colony, with the persons of the tutors and students, during their residence at the college, shall be freed and exempted from all taxes, serving on juries, and menial services ; and that the persons, aforesaid, shall be exempted from bearing arms, impresses and military services, except in case of invasion.

And furthermore, for establishing the perpetuity of this corporation, and in case that at any time hereafter, through oversight, or otherwise, through misapprehensions and mistaken constructions of the powers, liberties and franchises herein contained, any laws should be enacted, or any matters done and transacted by this corporation contrary to the tenor of this charter,—

It is hereby enacted, ordained and declared, that all such laws, acts and doings, shall be in themselves null and void ; yet, nevertheless, the same shall not, in any courts of law, or by the General Assembly, be deemed, taken, interpreted, or adjudged into an avoidance, defeazance, or forfeiture of this charter ; but that the same shall be, and remain unhurt, inviolate, and entire unto the said corporation, in perpetual succession ; which corporation may, at all times, and forever hereafter, proceed, and continue to act ; and all their acts, conformably to the powers, tenor, true intent and meaning of the charter, shall be, and remain in full force and validity ; the nullity and avoidance of any such illegal acts, to the contrary in any wise, notwithstanding.

And lastly, we, the Governor and Company, aforesaid, do, for ourselves, and our successors, forever, hereby enact, grant and confirm unto the said trustees and fellows, and to their successors, that this charter of incorporation, and every part thereof, shall be good and available in all things in the law, according to our true intent and meaning ; and shall be construed, reputed, and adjudged in all cases most favorably on the behalf and for the best benefit and behoof of the said trustees

and fellows, and their successors, so as most effectually to answer the valuable ends of this most useful institution.

In full testimony of which grant, and of all the articles and matters therein contained, the said Governor and Company do hereby order, that this act shall be signed by the Governor and secretary, and sealed with the public seal of this colony, and registered in the colony's records; and that the same, or an exemplification thereof, shall be a sufficient warrant to the said corporation to hold, use and exercise all the powers, franchises, and immunities herein contained.

Whereas, Joseph Lippitt, Esq., Mr. John Waterman, Jr. and Daniel Howland, Esq., presented unto this Assembly, the following report, to wit:

Report.

Whereas, the Honorable the General Assembly now held at East Greenwich, within the colony of Rhode Island, appointed us, the subscribers, a committee, to audit the accounts of sundry ship carpenters, and other artificers, who were taken at Oswego, and carried into captivity by the French; and we, in obedience to said appointment, having taken the matter under consideration, and examined the muster roll, evidences, and other papers relating to said accounts, find due (since said fortress was surrendered to the French, till the decease or return home of the several persons, undernamed), the following sums, to wit:

John Tarbox, enlisted as a carpenter; captivated the 14th of August, 1756; twelve months' wages due, amounting to £54, sterling.

Beriah Goddard, carpenter, captivated as above; six months and one half wages due, amounting to £29 5s., sterling.

Thomas Goddard, carpenter, captivated as above; eleven months' wages due, amounting to £49 10s., sterling.

Benjamin Nichols, sawer aloft, captivated as above; six months' wages due, amounting to £23 12s. 6d., sterling.

William Nelson, Seaman, captivated as above; twenty-two months' and five days' wages due, amounting to £33 5s. 8d.

Edward Clanning, sawer, &c., captivated as above; twelve months' wages due, amounting to £43 17s. 6d., sterling.

Joseph Peterson, carpenter, captivated as above; twelve months' wages due, amounting to £54, sterling.

Samuel Mott, sawer, captivated as above; twelve months' wages due, amounting to £40 10s., sterling.

George Munro, caulker, captivated as above; twenty months' wages due, amounting to £67 10s., sterling.

All which, is submitted, by—

JOSEPH LIPPITT,

JOHN WATERMAN, JR.,

East Greenwich, March 2d, 1764.

DANIEL HOWLAND,

Committee.

And the report being duly considered,—

It is voted and resolved, that the same be, and hereby is, accepted; that Joseph Sherwood, Esq., the agent for this colony, in Great Britain, be, and he is hereby, directed to lay this affair before the lords of the treasury and the lords of the admiralty; provided, that no charge arises to the colony thereby.

An Act for the more speedy calling in and sinking all the outstanding bills of credit, emitted by virtue of an act of the General Assembly of this colony, made and passed at their session, held by adjournment, at Providence, on the 18th day of March, A. D. 1750, (which is called the ninth bank,) and were let out upon loan; and likewise, for putting a final end to the name of old tenor, throughout this colony.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that from and after the publication of this act, it shall, and may be, lawful for all and every person and persons who have taken any sum of the bills of credit of this colony, emitted by virtue of an act of the General Assembly of this colony, made and passed at the session, held on the 18th day of March, A. D. 1750, and have mortgaged his, or their lands, to secure the payment thereof to the trustees of the colony; or such other person or persons who are now obliged to pay any sum or sums of said bills to the colony, may by force and virtue of this act, at any time before the 1st day of January, A. D. 1766, pay any one or more fifth or fifths, and receive the bond or bonds for such fifth or fifths, so paid, or pay the whole sum that remains due upon the mortgage, to the keeper of the grand committee's office, for the time being, who is hereby fully empowered and commanded to receive the same, either in the identical bills so emitted, or in silver, at the rate of £7, for one Spanish silver milled dollar; or other silver, at the same rate; or in gold, being equivalent thereto.

And the said keeper of the grand committee's office, aforesaid, upon the receipt of the whole of what is due on the mort-

gage, together with a certificate from the general treasurer, that the interest of said sum is paid in any of the bills of credit of this colony, or in silver and gold, as aforesaid, shall be obliged to deliver up such mortgage, with a discharge thereon; together with all the bonds dependent thereon, to such persons who shall pay the money, as aforesaid.

And be it further enacted by the authority aforesaid, that all persons who are possessed of any of the bills of credit, emitted by virtue of the aforesaid act of Assembly, may carry the same to the keeper of the grand committee's office, who is hereby empowered to receive the same, and give in exchange therefor, silver and gold, at the rate of £7, for one Spanish silver milled dollar, as fast as silver and gold shall be paid into the said office, for the aforesaid loan money; any law, custom or usage, to the contrary hereof, in any wise, notwithstanding.

Protest.

I do beg leave for to protest
Against this bill, which doth transgress
Against our sovereign lord the King;
Likewise injustice is therein;
For I can't see, upon my soul,
Why two-fifths should discharge the whole.

JAMES BARKER, JR.

Whereas, the bounty allowed by law, for destroying of wolves, is not sufficient; and whereas, it is represented by the inhabitants of the northern and western parts of the colony, that they have for some years past, and very lately, suffered greatly by having their creatures destroyed by those ravenous beasts;—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that for the future, the bounty or premium for killing of wolves, be augmented to £4, lawful money, per head; and that proof of the same be made, as heretofore by law required.

Whereas, the laws of this colony, regulating appeals from the same to His Majesty in council, do not require bonds of the appellee, to secure to the appellant his costs upon a reversal of the judgment; whereby, the appellant may not withstand a reversal of the judgment, and His Majesty's order in council, for his costs, be by the appellee defeated of the same, in that the appellee may, before the final determination of the cause, either be rendered insolvent, or make his escape; so that neither his body nor his effects can be found; for remedy whereof, for the future,—

Be it enacted by this General Assembly, and by the authority thereof, it is enacted, that whenever any appeal is granted from this colony to His Majesty in council, that both the appellee and appellant shall, before they be admitted to receive from the clerk of the superior court copies of their case, give bond into his office, with good and sufficient surety, in the sum of £200, sterling money of Great Britain, to be answerable to each other for the cost arising on said prosecution, agreeably with the final determination of the same before His Majesty in council; any law, custom or usage, to the contrary, hereof, notwithstanding.

An Act empowering the general treasurer to dispose of £7,576, sterling, being part of the money granted by the crown to the colonies.

[This was a portion of the money granted by Parliament to the colonies, for reimbursing them the charges which arose on raising forces for the expedition in the year 1761, for the reduction of Canada.]

Whereas, Capt. Job Spencer, preferred a petition, and represented unto this Assembly, that at a town meeting held in West Greenwich, on the first Tuesday in December last, he was directed by a vote of the said town, to petition this Assembly to grant a lottery for raising a sum of money to build a work-house, in said West Greenwich, for the more easy maintenance of the poor of said town; and thereupon, the said Job Spencer prayed this Assembly to grant a lottery, for raising the sum of £130,

lawful money, to be appropriated for the building a work-house in the said town of West Greenwich; and to appoint some proper persons directors for the carrying on and conducting said lottery; on consideration whereof,—

It is voted and resolved, that the prayer of the said Job Spencer, in the foregoing petition contained, be, and the same is hereby, granted; that Samuel Hopkins and Preserved Hall, Esqs., and Mr. Benjamin Gardner, be appointed directors of the said lottery; and that they give bond for the faithful performance of the trust reposed in them, according to custom.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1764.

The Hon. Stephen Hopkins, Governor.

Hon. Joseph Wanton, Jr., Deputy Governor.

The following officers, declared elected, were duly engaged:

ASSISTANTS.

| | |
|---------------------------|-----------------------------|
| Mr. Peleg Thurston, | Mr. Joseph Lippitt, |
| Mr. Gideon Cornell, | Mr. Jonathan Randall, |
| Mr. Nicholas Tillinghast, | Mr. Samuel Brownell, |
| Mr. Darius Sessions, | Lieut. Col. Joseph Haszard, |
| Mr. John Almy, | Mr. Thomas Church. |

DEPUTIES.

| | |
|---------------------|--------------------------|
| <i>Newport.</i> | Mr. Benjamin Greene, |
| Mr. Metcalf Bowler, | Mr. Daniel Ayrault, Jr., |
| Mr. John Wanton, | Capt. William Read. |
| Mr. George Hazard, | |

DEPUTIES.

Providence.

Mr. Daniel Jenckes,
Mr. Moses Brown,
Mr. Jacob Wightman,
Mr. Eseck Hopkins.

Portsmouth.

Mr. David Anthony,
Mr. Thomas Brownell,
Mr. George Brownell,
Mr. Jonathan Cornell.

Warwick.

Mr. Philip Greene,
Mr. Othniel Gorton,
Mr. Benjamin Arnold, 3d,
Mr. John Warner.

Westerly.

Mr. James Babcock, Jr.
Mr. David Maxson, 2d.

New Shoreham.

Mr. John Littlefield,
Capt. John Paine.

North Kingstown.

Mr. William Hall,
Mr. Peter Phillips.

South Kingstown.

Mr. Thomas Potter, Jr.
Mr. Enoch Haszard.

East Greenwich.

Maj. Preserved Pierce,
Mr. Abial Hall.

Jamestown.

Mr. John Gardner,
Mr. Oliver Martin.

Smithfield.

Capt. Joseph Mowrey, Jr.,
Mr. Samuel Winsor.

Scituate.

Capt. Job Randall,
Mr. Jeremiah Angell.

Glocester.

Mr. Richard Steere,
Mr. Benjamin Smith.

Charlestown.

Capt. Robert Potter,
Mr. Christopher Champlin.

West Greenwich.

Mr. Preserved Hall,
Mr. Job Spencer.

Coventry.

Mr. Obadiah Johnson,
Mr. John Rice.

Exeter.

Mr. Joseph Holway,
Mr. Daniel Barber.

Middletown.

Mr. Gideon Coggeshall,
Mr. John Holmes.

Bristol.

Mr. William Bradford,
Capt. Simeon Potter.

Tiverton.

Mr. Job Durfee,
Mr. William Cooke.

Little Compton.

Mr. William Hall,
Mr. Oliver Hilyard.

Warren.

Major Nathaniel Peck,
Mr. Cromell Child.

Cumberland.

Mr. John Dexter,
Mr. Joseph Davis.

DEPUTIES.

Richmond.

Capt. Simeon Clarke,
Capt. Caleb Barber.

Cranston.

Mr. Caleb Potter,
Capt. Richard Searle.

Hopkinton.

Major Joshua Clarke,
Mr. John Maxson.

Johnston.

Mr. Thomas Owen,
Mr. John Waterman, Jr.

Daniel Ayrault, Jr., Esq., speaker, Josias Lyndon, Esq., clerk.

Mr. Henry Ward, secretary.

Mr. Augustus Johnston, attorney general.

Mr. Joseph Clarke, general treasurer.

John Cole, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Samuel Brenton. Providence county, Mr. Samuel Angell. Kings county, Mr. Beriah Brown. Bristol county, Mr. John Brown. Kent county, Mr. Henry Rice.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Benjamin Sherburne, Esq., colonel; Jabez Champlin, Esq., lieutenant colonel; Charles Spooner, Esq., major.

Providence county, Charles Olney, Esq., colonel; Thomas Angell, Esq., lieutenant colonel; Rufus Smith, Esq., major.

Kings county, John Potter, 3d, Esq., colonel; Elias Thompson, Esq., lieutenant colonel; James Babcock, Esq., major.

Bristol county, Sylvester Child, Esq., colonel; Thomas Church, Esq., lieutenant colonel; Newbey Coggeshall, Esq., major.

Kent county, John Waterman, Esq., colonel; Joab Stafford, Esq., lieutenant colonel; Henry Gardner, Esq., major.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1764.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

Whereas, a number of the inhabitants of Warwick, preferred a petition, and represented unto this Assembly, that the bridge over the river in said town, situated in that part called the Fulling Mill, is, by floods and the continual passing and re-passing of travellers and others, rendered much out of repair, and not passable with safety ; that as the post road leads over the same, and it is the most public road in the colony, it is highly necessary that a suitable and convenient bridge should be there erected, and kept in proper repair ; that the said town hath been at great expense in keeping the said bridge in repair for many years past ; and the said petitioners further represented, that the said town is burthened with heavy expenses in building and maintaining several other large bridges in said town ; and thereupon, they prayed this Assembly to grant a lottery, for raising a sufficient sum of money to build a good and suitable bridge over the said river, at the place, aforesaid ; and that Messrs. Elisha Greene, Jr., Thomas Arnold and Thos. Arnold and Gideon Arnold, may be appointed to carry on and accomplish the same ; on consideration whereof,—

It is voted and resolved, that the foregoing petition be, and the same is hereby, granted ; and that the directors be empowered to raise the sum of £106, lawful money, for the purpose. aforesaid ; they giving bonds to the general treasurer for the faithful performance of their trust.

It is voted and resolved, that Messrs. Abraham Smith and John Andrews be, and they are hereby, appointed directors of

the lottery granted for paving the streets in Providence, in the room of Benoni Pearce and Benjamin Man, who decline serving.

It is voted and resolved, that His Honor the Governor, Edward Scott, Martin Howard, Jr. and Henry Ward, Esqs., be, and they are hereby, appointed a committee, to revise all the laws of this colony, and put them in order, to be printed in one volume.

Whereas, Mr. Peter Mumford, preferred a petition, and represented unto this Assembly, that the general treasurer, some time after he was directed to draw bills of exchange for the December money, applied to him, the petitioner, and informed him that the bills went off very dull; and that the possessors of the December money were urgent to have the same exchanged for silver and gold, and requested him to use his best endeavors to sell the bills in Boston, which he cheerfully undertook, knowing that it would not only very much oblige the possessors of the December money, but also be of great benefit to the colony, by bringing into it so large a sum of silver and gold; that by his great care, trouble and industry, he sold of the said bills to the amount of £2,482 16s. 5d., sterling, to about eighteen or twenty of the merchants in Boston; for which he hath received but a trifling satisfaction; and that from but a very few of the persons he sold the bills to; the others telling him, that their province always defrayed those charges, and that our colony ought to do the same; and that he (not doubting but the colony would make him reasonable satisfaction,) concluded it would be better to dispose of the bills (which were much found fault with,) upon the purchasers' terms, than not to sell them at all; and thereupon, the said Peter Mumford prayed this Assembly, to make him such allowance as will be an adequate reward for the trouble he was at, and the risk he ran in transacting the said business; on consideration whereof,—

It is voted and resolved, that the sum of £10, lawful money, be allowed, and paid the said Peter Mumford out of the general, for his aforementioned services.

Whereas, some officers in this colony, and other persons, legally empowered, have presumed to join persons together in marriage without due and lawful publication, greatly to the disquiet of their parents and friends, and often to the utter ruin of the persons themselves,—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that if any assistant, justice of the peace, or warden, or any other person or persons in this colony, shall, for the future, join any persons together in marriage, without due and lawful publication, the person so offending, shall, upon conviction thereof, forfeit and pay as a fine, into the general treasury, the sum of £100, lawful money, to be recovered by the general treasurer, in an action of debt, at the inferior court of common pleas, in the county where the offence shall be committed ; and, if an officer of this colony, shall be suspended from his office, and rendered incapable, for the future, of sustaining any office in this colony.

It is voted and resolved, that His Honor the Deputy Governor, Mr. Moses Brown and Othniel Gorton, Esq., be, and they are hereby, appointed a committee, to prepare a bill for sinking such of the lawful money bills of credit as were emitted in the year 1759, for which no provision hath been yet made.

Whereas, several of the inhabitants of the town and county of Bristol, preferred a petition, and represented unto this Assembly, that the county house, in said Bristol, is in a ruinous and decayed condition, and so open and exposed to the inclemencies of the weather, that the judges, for some years past, have been obliged to hold the courts in other places, especially in the winter season ; that the foundation, sills, doors, &c., are defective and rotten ; and that for want of the necessary repairs, having from time to time been made, as occasion required, the said court house is at present quite past repairing ; and that the other counties in the colony are amply provided and accommodated with handsome and convenient court houses, (some of them noble and elegant structures,) by means of the generous provision made for that purpose, by the General Assembly ; and thereupon, the petitioners prayed this Assembly

to make provision for building such a county house in the said town of Bristol, as will answer the ends and purposes of such an house, and in no wise derogate from the public spiritedness of the General Assembly ; on consideration whereof,—

It is voted and resolved, that Thomas Church, Esq. and Messrs. John G. Wanton and Moses Brown, be, and they are hereby, appointed a committee to examine into the circumstances and condition of the said court house ; and that they make report to this Assembly, at the next session, what appears to them necessary to be done to the said court house.

It is voted and resolved, that His Honor the Governor, Nicholas Tillinghast, Darius Sessions and Daniel Jenckes, Esqs. and Mr. Moses Brown, be, and they, or the major part of them, are hereby, appointed a committee, to prepare an answer to the queries sent to this government by the board of trade ; and that they present the same to this Assembly, at the next session.

Whereas, Joseph Lippitt, Thomas Church, Job Randall and John Barker, Esqs., presented unto this Assembly the following report, to wit :

Report of the Committee concerning the lands of the Narragansett tribe of Indians.

We, the subscribers, with Mr. William Potter, being appointed by the Honorable General Assembly, at their session, in August last, to set off and bound the various tracts of land that heretofore have been appropriated by the sachems of the Narragansett tribe of Indians to that tribe, for their sole use, maintenance and support, &c., do report :

That, agreeably to said appointment, we have been and viewed the said lands ; and on examining said Indians, and others, cannot find any lands set off or appropriated by the sachems to said tribe, as a tribe ; but we find various tracts or pieces of land, which have been set off to particular persons or families, amounting, in the whole, to between two and three thousand acres ; which, the sachem saith, is what he meant to

give and execute a deed of to said tribe, and is still willing to do it, according to his agreement and promise, at said General Assembly; but as there are large tracts of land, which are neither leased by the sachem, nor set off to any of the tribe, but seem to be in common, used when wanted, both by sachem and tribe, the petitioners insisting on that, or part of it, being set off with the rest.

And whereas, there is a larger number of said tribe than the petitioners, who seem utterly against being set off, but choose to remain with the sachem, as heretofore; and say the petitioners may be set off by themselves, but they are not willing to be set off with them; but we not having authority to set off any lands to part of the tribe, unless we could have persuaded them to agree where and how much; so, after several days waiting on them, trying to get them to agree how much to set off, and where; but we could not; we were obliged to return, and do report as abovesaid.

All which is submitted by—

JOSEPH LIPPITT,
THOMAS CHURCH,

JOB RANDALL,
JOHN BARKER.

N. B. As the lands set off and improved by the tribe, or particular persons, are intermixed with other lands, some leased, and others unimproved; we think, if it be set off from the other lands, it must be surveyed, which is a work of considerable time.

Whereas, John Shearman, who was convicted of a capital crime in this colony, is now in Boston jail, and it is expected that he will soon be sent into this colony,—

It is therefore voted and resolved, that upon the said John Shearman's being brought into the county of Newport, that the sheriff of the said county be, and he is hereby, empowered and directed to receive the said John Shearman, and safely confine him in His Majesty's jail in Newport, until the next session of this Assembly.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the 30th day of July, 1764.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

It is voted and resolved, that His Honor the Governor, Daniel Jenckes, Esq. and Mr. Nicholas Brown, be, and they are hereby, appointed a committee to confer and consult with any committee or committees that are, or shall be, appointed by any of the British colonies upon the continent of North America, and to agree with them upon such measures (either by application to His Majesty, or the British Parliament, or otherwise) as shall appear to them necessary and proper, to procure a repeal of the act of the sixth of His late Majesty, commonly called the sugar act; and also, of the act passed at the last session of Parliament, for levying several duties in the colonies, or in procuring the duties in the said last mentioned act, to be lessened; also, to prevent the levying a stamp duty upon the North American colonies, now under the consideration of Parliament; and, generally, for the prevention of all such taxes, duties, or impositions, that may be proposed to be assessed upon the colonists, which may be inconsistent with their rights and privileges as British subjects; and that they make report to this Assembly, at the next session.

And it is further voted and resolved, that the above named persons be also appointed a committee to prepare an answer to the requisition of the lords commissioners for trade and the plantations, respecting the paper currency of this colony; and that they present the same to this Assembly, at the next session.

And it is further voted and resolved, that His Honor the

Governor, be, and he is hereby, requested to inform the agent of the steps this Assembly are taking; and to direct him, in in the mean time, to do every thing in his power, either alone, or by joining with the agents of the other governments, to effect the purposes intended by this Assembly.

God save the King.

The Earl of Halifax to the Governor of Rhode Island.

To His Majesty's Governor of the colony of Rhode Island :

Sir :—The House of Commons having, in the last session of Parliament, come to a resolution, by which it is declared that, towards defraying the necessary expenses of defending, protecting and securing the British colonies and plantations in America, it may be proper to charge certain stamp duties in the said colonies and plantations, it is His Majesty's pleasure, that you should transmit to me, without delay, a list of all instruments made use of in public transactions, law proceedings, grants, conveyances, securities of land or money within your government, with proper and sufficient descriptions of the same, in order, that if Parliament should think proper to pursue the intention of the aforesaid resolution, they may thereby be enabled to carry it into execution, in the most effectual and least burdensome manner.

If you should be unable of yourself to prepare a list of this kind with sufficient accuracy, you will, in such case, require the assistance of His Majesty's attorney general, or the principal law officer of the crown, within your government, who are the proper persons to be consulted, towards procuring the said information in the manner required.

I am, etc., DUNK HALIFAX.

St. James's, 11th August, 1764.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday in September, 1764.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

Whereas, Messrs. William Arnold, Amos Sprague and others, preferred a petition, and represented unto this Assembly, that some of them were appointed directors of a lottery, granted by the General Assembly, for raising a sum of money for

re-building the bridge over Pawtucket river, between the towns of Smithfield and Cumberland, called and known by the name of Wonosoket Bridge; that they have drawn the said lottery in two classes, in which the sum of £2,000, old tenor, was raised for the said purpose; that they have advanced out of their own stock, £361, old tenor, over and above the sum raised by said lottery, and that the said bridge is not yet completely repaired; and thereupon they prayed this Assembly to grant a lottery to raise the further sum of £2,000, old tenor, which will reimburse them the money they have expended, and also complete the repairing of the said bridge; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the foregoing petition be, and the same is hereby, granted; and that Messrs. William Arnold, Amos Sprague, Charles Capron, Hezekiah Herrenden and Samuel Cooke, be continued directors of the said lottery; and that they, or the major part of them, be, and they are hereby, fully empowered to set forth a lottery for raising the aforesaid sum in the same manner, and under the same regulations, as the former lottery; they giving bond, as usual.

It is voted and resolved, that the chief justice of the superior court, in this colony, be directed, and he is hereby directed, to issue a warrant for the execution of John Shearman, now a prisoner in jail, and under sentence of death, (and who had been reprieved by the General Assembly, and the time allowed him to apply for His Majesty's mercy being expired,) on Friday, the 16th day of November next.

It is voted and resolved, that a tax of £12,000, lawful money, be assessed and levied on the inhabitants of this colony; that £10,000 thereof, be paid in lawful money bills of credit, which were emitted in March and May, A. D. 1760, for sinking so much of the bills emitted at those times; and that the other £2,000, be paid in any lawful money bills, or old tenor, at twenty-three and one-third for one, for supplying the general treasury.

Protest.

I, the subscriber, beg leave to dissent from the above vote, for the tax of £12,000, lawful money, as, in my opinion, the inhabitants are not able, at this time, to pay so large a sum, as the last tax is not all collected, and the inhabitants greatly distressed in paying the last tax ; and the collectors are now sued, and the inhabitants have their cattle and sheep now taken and posted for sale, for the last tax ; and in my opinion, £10,000, lawful money, is as much as the inhabitants can pay ; and the £2,000, for defraying the present charge of the colony, would be an easement to the inhabitants to strike off that sum for two years, agreeably to act of Parliament.

ROBERT POTTER.

It is voted and resolved, that the committee appointed at the last session of this Assembly, to write to the neighboring governments, and remonstrate to the Parliament, &c., be, and they are hereby, continued a committee for the purposes for which they were appointed, and with the same powers as were then given them ; and that the same gentlemen be also continued a committee, to prepare a state of the currency, and lay the same before this Assembly, at the next session.

It is voted and resolved, that the colony's clothing, now in the hands of the general treasurer, be sold either at private sale, or at vendue, as he may think best.

It is voted and resolved, that His Honor the Governor, be, and he is hereby, requested to write to the colony's agent, in Great Britain, and desire him to procure, from the lords of the admiralty, twenty-four Mediterranean passes, to be lodged with the Governor, for the use of those who may apply ; they paying for the same, as customary.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, on the last Wednesday in October, 1764.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

It is voted and resolved, that James Angell, Esq., Mr. Benjamin Greene and Othniel Gorton, Esq., be, and they, or the major part of them, are hereby appointed a committee to audit the several accounts of charges which have arisen by means of appointing persons to prevent the small pox from being brought into this colony; and that they make report to this Assembly, at the present session.

Whereas, the committee appointed to prepare a statement of the paper currency of this colony, in answer to the requisition of the lords commissioners for trade and the plantations, presented unto this Assembly the following statement of the same, to wit:

Report of the Committee appointed to prepare a statement of the condition of the currency of the colony.

A statement of the paper bills of credit, issued since the year 1749, by the colony of Rhode Island, drawn up in obedience to an order of the lords commissioners of trade and plantations; dated at Whitehall, the 11th of May, 1764.

In the month of March, 1750, there were issued by said colony, £25,000 in bills, equal in value to about £18,750, sterling. These bills were let out upon loan for ten years, at five per cent. interest, and then to be paid in at five equal annual payments; the whole of which sums is near expiring. These bills having depreciated, are now of two-fifths the value they were at when emitted. All the outstanding bills, emitted before the year 1750, called old tenor, are drawing near their periods, and will terminate in a short time.

In the year 1755, for paying the paying the expense incurred by the colony in

carrying on the expedition against Crown Point, there were issued bills equal to £13,500, sterling, to circulate two years, without interest, and then to be called in and sunk, which was performed punctually within the time limited.

In the year 1756, for paying the expenses incurred by the colony in the second expedition against Crown Point, there were issued bills equal in value to £10,500, sterling, like those of the last year, to circulate two years, without interest, and then to be called in and sunk ; which was fully done, within the time limited.

The war still continuing, and the colony being called upon for larger quotas of men than it had hitherto raised, perceived that bills must of necessity be issued for a longer period than two years otherwise it would be unable to preserve their credit by a punctual payment at the time promised.

Accordingly, in the year 1758, the colony issued bills, agreeably, as it supposed, to one of the provisos contained in the act of Parliament, passed in the twenty-fourth year of the reign of His late Majesty King George the Second, entitled " An act to regulate and restrain paper bills of credit in His Majesty's colonies or plantations of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay and New Hampshire, in America ; and to prevent the same being legal tenders in payment of money ;" which bills were to circulate for five years, and carry an interest of five per cent. per annum ; £20,909, was this year issued, agreeing in value to the proclamation of the tenth of Queen Anne, to £15,681 15s., sterling. These bills were wholly called in and burnt within the time.

But as all the paper bills that have been emitted by the colony, since the year 1758, have been in exact conformity, in every respect, to those emitted at that time, we here subjoin a copy of the act of Assembly, by which part of the said bills were created and issued, as a specimen of all the emitting acts since that time.

" An Act for emitting, in bills of credit, a sum not exceeding £10,000, lawful money.

Whereas, the General Assembly of this colony, at their session, in South Kingstown, on Monday, the 13th of March last, in obedience to His Majesty's commands, signified by one of his principal secretaries of state, passed ' An act for raising and paying one thousand able bodied, effective men, for the ensuing campaign, against His Majesty's enemies in North America.' And in order to supply the general treasury, for carrying the intentions of the act aforesaid, into execution, the Assembly then directed the treasurer to hire as much money as would be needful for that purpose ; but the treasurer having found it altogether impracticable to hire sufficient sums of money for the ends, aforesaid ; and it being of the utmost necessity and importance that the treasury should be sufficiently supplied on this extraordinary occasion,—

Therefore, be it enacted by this General Assembly, and by the authority of the same it is enacted, that bills of credit be forthwith impressed from types, and signed by the persons hereinafter named, to a value not exceeding £10,000, lawful money, esteeming silver at and after the rate of six shillings and nine pence per ounce, and gold at its proportionate value ; that the said bills shall carry an interest of five per cent. per annum, to the possessor ; and shall pass with the interest added to them, in all payments in which those bills are a lawful tender ; the bills so emitted, shall be of the denomination of thirty shillings, twenty shillings, ten shillings,

five shillings, two shillings, one shilling and of six pence ; and an equal number of bills shall be made of each denomination ; and the bills shall be of the following form :

' The possessor of this bill shall be paid by the treasurer of the colony of Rhode Island, thirty shillings, lawful money, at the rate of six shillings and nine pence, for one ounce of silver, with interest at five per cent. per annum, within five years from the date hereof. By order of Assembly, the 8th day of May, 1758.'

And those bills, as soon as made, shall be put into the general treasury, for the use and purposes, above mentioned ; and shall be received from thence for paying the expenses of the present, or any other expedition, at the value, aforesaid ; and that one milled dollar shall at all times hereafter be taken in lieu of six shillings of those bills ; and the bills, so to be made, shall be caused to be printed with such devices on the backs and borders, as shall be thought fit ; and signed, and put into the treasury, by Jabez Bowen, Jeremiah Lippitt, Joshua Babcock, Benjamin Nichols and Joseph Clarke, Esqs., or any three of them.

And for the calling in, and redeeming the bills to be emitted in consequence of this act,—

Be it further enacted, that a rate or rates be assessed on the inhabitants of this colony, in such time that it may be collected and brought into the treasury in due season to redeem the whole of the said bills, together with the interest arising upon the same, within five years from the day of their dates ; and that the whole of the rate or rates to be made for that purpose, shall be made in the same bills, now ordered to be emitted ; or in silver, at the rate of six shillings and nine pence for every ounce, or in gold, at a proportionate value, or in milled dollars, at the rate, aforesaid ; and the gold and silver by those means drawn into the treasury, shall be immediately applied to redeem the outstanding bills to be by this act emitted."

In the year 1759, for defraying the expense of the men raised for His Majesty's service in the same year, the colony issued £20,000, in bills of the same tenor, and of equal value with those emitted the year before ; and these bills have been wholly called in and burnt.

In the year 1760, for the same purpose, the colony issued £27,000, in bills, in the same manner ; these bills are redeemable within the next year from this time ; and provision is already made for bringing in £10,000, thereof, including interest ; but the colony is not able to sink the remainder by the time it ought to be sunk, any otherwise than by taking up money upon loan, for redeeming the bills.

Lastly, in the year 1762, for carrying on the war, the colony issued £18,000, in bills in the same manner, which will be redeemable in the year 1767.

The whole of the bills emitted on this plan, have at all times fully kept their value ; their only defect seeming to be, that they carry too high an interest, which occasions their being hoarded, and thereby not answering the end of a medium.

By this statement, it appears, that there are now circulating in this colony, in bills issued for carrying on the war, £40,000, equal to £30,000, sterling ; about two-thirds of which sum, must be called in and sunk in a year ; after which, £18,000, only, of the bills issued for the expense of the war, will be circulating ; these, together with the small remainder of old tenor bills that will be outstanding, will come to a final end, in the year 1767.

Besides the bills emitted, as aforesaid, this colony is largely in debt for money hired of private persons, during the course of the war; and this debt is the greater, because it has received nothing for its expenses incurred in support of the war in the year 1756, which was reimbursed the other colonies, by Parliament.

In a colony, where the constant demand for remittances to the mother country, makes it impossible for silver and gold to continue, what will be the medium and instrument of commerce, when paper bills are at an end, we know not.

This is a true state of the paper bills of credit in the colony of Rhode Island, and is humbly submitted to Your Lordships' consideration, by the Governor and Company, thereof.

Rhode Island, October 30, 1764.

And the foregoing state of the paper bills of this colony being duly considered,—

It is voted and resolved, that the same be, and hereby is, approved; and that His Honor the Governor, be requested to sign and transmit two copies of the same to the lords commissioners for trade and the plantations, by the first opportunities.

Whereas, Mr. Moses Brown, exhibited unto this Assembly, an account by him charged against the colony, for John Brown's bill, for one hundred and twenty-eight days' attendance at Narrow Passage Ferry, to prevent the small pox being brought into the colony; for Jonathan Hamman's bill, for a smoke house, &c.; and the said account being duly considered,—

It is voted and resolved, that the same be, and hereby is, allowed.

Whereas, this Assembly is informed, that there were brought to the inferior court of common pleas, held at Newport, in May last past, several actions by James Easton and others, the committee in behalf of the Friends' Meeting, at Newport, against David Severs and sundry other persons; which actions could not all be settled, by reason that Jonathan Freeborn, William Anthony and Thomas Gould, Esqs., three of the judges of said court being members of said meeting, declined giving any judgment therein,—

It is therefore voted and resolved, that John Tillinghast, Esq. and Messrs. Benjamin Wickham and Evan Malbone, be, and they are hereby, appointed special judges of the said inferior

court of common pleas, to sit in Newport, on the third Monday in November next; and that they, and the other two judges of the said court, be, and they are hereby, fully authorized and empowered to hear and determine all causes that may then be pending, wherein the said committee of the Friends' Meeting are parties, as fully and effectually as the same could and might have been done, by the standing judges of said court.

It is voted and resolved, that His Honor the Governor, Nicholas Tillinghast, Joseph Lippitt, Joshua Babcock, Daniel Jenckes and John Cole, Esqs., and Mr. Nicholas Brown, be, and they, or the major part of them, are hereby appointed a committee, to prepare an address to His Majesty, for a redress of our grievances, in respect to the duties, impositions, &c., already laid, and proposed to be laid, in this colony; and that they present the same to this Assembly, as soon as may be.

And it is further voted and resolved, that the said committee procure all such records, papers, and what else shall be necessary, for them to perform the business, aforesaid, at the charge of the colony.

It is voted and resolved, that His Honor the Governor, be, and he is hereby, requested to write again to Joseph Sherwood, Esq., the agent for this colony, in Great Britain, and acquaint him of the information this day made to this Assembly, that a number of persons within the colony have petitioned His Majesty to vacate the charter of this colony; and direct him to use his utmost endeavors to prevent the evil intended by the said petitioners; and also, as soon as possible, to transmit a copy of the said petition, with the names of the subscribers, to the Governor and Company of this colony.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, on the last Tuesday in November, 1764.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

An Act empowering the general treasurer to dispose of £3,562 8s. 5d., sterling, being part of the money granted by the crown, to the colonies.

[This sum was a part of the monies granted by the crown to the colonies, for reimbursing them the charges which arose on raising forces for the expeditions against His Majesty's enemies.]

Whereas, the committee, appointed to address His Majesty, upon account of the duties and impositions laid, and proposed to be laid, in this colony, reported an address to His Majesty; which being duly considered,—

It is voted and resolved, that the same be, and hereby is, approved; and that four fair copies be made thereof, and signed by His Honor the Governor, in behalf of the Governor and Company of this colony, and sent by the first good opportunities to the agent of this colony, in Great Britain, in order to be presented to His Majesty.

It is voted and resolved, that His Honor the Governor, be, and he is hereby, requested to correct and finish the piece lying before this Assembly, entitled, "The Rights of the Colonies Examined;" that the same gentlemen who were appointed at last session a committee to prepare an address to His Majesty, be, and they are hereby, appointed a committee to view the said performance, after it shall be completed; that if they shall approve the same, that then His Honor be requested to procure two fair copies thereof to be made, (at the charge of the

colony,) and transmit them to the agent, in Great Britain, to be by him put in print ; and to make use of the same, in conjunction with the other agents, as they shall think will be most for the advantage of the colonies.

It is voted and resolved, that the inhabitants of the compact part of the town of Providence, as settled by act of Assembly, relating to the engine, be, and they are hereby, empowered to establish a watch in said town, and to tax the inhabitants of the said compact part of the town, for defraying the expense of the said watch ; and also, to choose proper persons to assess and collect said tax.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write an answer to the letter received from the Right Honorable the Earl of Halifax, relating to the post roads.

It is voted and resolved, that the secretary procure all the acts passed by the General Assembly of this colony, in the year 1756, and send them to the town clerk of Providence ; those formerly lodged in that office being burnt with the court house in Providence.

God save the King.

Public Acts passed during the year 1764.

[The following laws will be found at length in the printed "Schedules," or acts and resolves of the General Assembly, for the year 1764.]

An Act for establishing and regulating fees. (May.) Repealed in October.

An Act for calling in and sinking £765 6s. 8d., lawful money, being the amount of the outstanding bills of credit emitted in March, 1759. (July.)

An Act for assessing upon the inhabitants of this colony a rate or tax of £12,000, lawful money, etc. (September.)

An Act stating the fees of the collector, comptroller and searcher, of His Majesty's customs, and the naval officer, within this colony. (October.)

An Act establishing and regulating fees. (November.)

Message of Governor Hopkins to the General Assembly.

To the Honorable General Assembly :

Gentlemen :—The dangers that threaten this colony, with respect to the peoples' liberties, will, I hope, procure your pardon for my troubling you in this way. My duty calls upon me, to lay before you some alarming circumstances, and recommend to you to do all in your power to avert the impending mischiefs.

The burdens put on the trade of the northern colonies by a late act of Parliament, are already severely felt; the stamp duties intended to be laid upon them, will be a still heavier burden; and the plan formed by the British ministry to raise as much money in America as hath been expended for its defence, must complete our ruin.

To all this, let me add the information I have received, that a petition is already sent to England, by a considerable number of the inhabitants of this colony, full of complaints against it; praying that our charter may be taken away, and a new form of government introduced.

These are certainly matters of the utmost importance to your constituents; and as such, will, I hope, be seriously considered by you; every remedy that is possible, properly applied; and, should slavery become the portion of the unhappy people, let no part of their misfortune be chargeable on any neglect or inattention of their representatives.

STEP. HOPKINS.

November 4, 1764.

Petition of the Governor and Company of Rhode Island to the King.

To the King's Most Excellent Majesty : the petition and address of the Governor and Company of the English colony of Rhode Island and Providence Plantations, in New England, in America; humbly sheweth :

That this part of America was first planted by adventurers, who left England, their native country, by permission of Your Majesty's royal predecessors; and, at their own expense, transported themselves to America, with great hardship and difficulty, settled among savages, and formed new colonies in the wilderness.

Before their departure, the terms they removed upon, and the relation they should stand in to the mother country, in their emigrant state, were settled. They were to remain subject to the King, and dependent on the kingdom of England; in return, they were to receive protection, and enjoy all the privileges of free born Englishmen.

We acknowledge, with great gratitude, that the colonies have, at all times, received due succor, and the promised protection.

Our dependence hath been testified by a constant and ready obedience to all the commands of Your Majesty, and your royal predecessors; this, and the other colonies, having at all times, when called upon, raised men and money for the service of the crown and kingdom, with as much alacrity, and in as large proportions, as hath been done in Great Britain, the abilities of each, considered.

With filial duty, we thankfully confess that from the first planting of these colonies, being more than one hundred and thirty years, we have fully enjoyed all the privileges and advantages that were promised to our ancestors, upon their first removal from England. Happy for us, and all the colonies, that we might still enjoy the blessings of the same mild and gracious government; but here our fears intervene, and apprehensions of a different treatment from the mother country, suffer us to go no further; we must be silent, or we must complain; we have a good cause; we have a gracious King.

We will, with the most submissive sentiments, open our grievances, and humbly lay our complaints before Your Majesty:

The restraints and burdens laid on the trade of these colonies, by a late act of Parliament, are such, as if continued, must ruin it. The commerce of this colony dependeth ultimately on foreign molasses, and the duty on that being so much higher than it can possibly bear, must prevent its importation; and by that means we shall be deprived of our principal exports, totally lose our trade to Africa, and be rendered unable to make remittance to Great Britain for the manufactures we cannot live without.

The extensive powers given by the same act, to the courts of vice admiralty, in America, have a tendency, in a great measure, to deprive the colonies of that darling privilege, trials by juries, the unalienable birthright of every Englishman; and subjects the inhabitants here to other great hardships and intolerable expenses; as the seizer may take the goods of any person, though ever so legally imported, and carry the trial into any distant province; and if the judge can be prevailed upon to certify that there was probable cause of seizure, the claimer is without remedy; and herein we are unhappily distinguished from our fellow subjects in Britain.

The colonies are much more alarmed, on being informed that Your Majesty's ministers have formed a resolution to establish stamp duties, and other internal taxes, to be collected within them. This design carried into execution, we humbly conceive, would tend to deprive us of our just and long enjoyed rights. We have hitherto possessed, as we thought, according to right, equal freedom with Your Majesty's subjects in Britain; whose essential privilege it is, to be governed only by laws to which themselves have some way consented, and not to be compelled to part with their property, but as it is called for by authority of such laws.

The great difficulty that has ever attended the trade of the colonies, is a scarcity of money. This is occasioned by the very great balance against them in their trade with Britain. The further drawing large sums from them, by duties on importations of divers kinds of goods, by the post office, by stamp duties, and other internal taxes, will, in a short time, quite drain these colonies of the little money they have; totally deprive them of the means of paying their debts to, and continuing their trade with, Great Britain, and leave the people here poor and miserable.

Our ancestors, being loyal and dutiful subjects, removed and planted here under a royal promise, that, observing and fulfilling the conditions enjoined them, they and their children after them for ever, should hold and enjoy equal rights, privileges and immunities with their fellow subjects in Britain. The conditions have been faithfully kept by this colony.

We do therefore most humbly beseech Your Majesty, that our freedom, and all our just rights may be continued to us inviolate; that our trade may be restored to

its former condition, and no further limited, restrained and burdened, than becomes necessary for the general good of all Your Majesty's subjects; that the courts of vice admiralty may not be vested with more extensive powers in the colonies than are given them by law in Great Britain; that the colonists may not be taxed but by the consent of their own representatives, as Your Majesty's other free subjects are.

That while Your Majesty's subjects justly exult in being governed by the best of Kings, the father of his people, and guardian of their liberties, your loyal colonies may not, in your glorious reign, suffer any diminution of the advantages they have hitherto enjoyed.

Whatever may be determined concerning them, the Governor and Company of Rhode Island will ever unalterably remain—

Your Majesty's most loyal, most dutiful and most obedient subjects.

STEPHEN HOPKINS.

November 29, 1764.

The Rights of Colonies Examined.

[An address ordered to be published by the General Assembly, November, 1764.]

"Mid the low murmurs of submissive fear
And mingled rage, my Hampden rais'd his voice,
And to the laws appeal'd;——"

Thompson's Liberty.

Liberty is the greatest blessing that men enjoy, and slavery the heaviest curse that human nature is capable of.—This being so, makes it a matter of the utmost importance to men, which of the two shall be their portion. Absolute liberty is, perhaps, incompatible with any kind of government.—The safety resulting from society, and the advantage of just and equal laws, hath caused men to forego some part of their natural liberty, and submit to government. This appears to be the most rational account of its beginning; although, it must be confessed, mankind have by no means been agreed about it. Some have found its origin in the divine appointment; others have thought it took its rise from power; enthusiasts have dreamed that dominion was founded in grace.

Leaving these points to be settled by the descendants of Filmer, Cromwell and Venner, we will consider the British constitution, as it at present stands, on revolution principles; and from thence endeavor to find the measure of the magistrate's power and the people's obedience.

This glorious constitution, the best that ever existed among men, will be confessed by all, to be founded by compact, and established by consent of the people. By this most beneficent compact, British subjects are to be governed only agreeably to laws to which themselves have some way consented; and are not to be compelled to part with their property, but as it is called for by the authority of such laws. The former, is truly liberty; the latter, is really to be possessed of property, and to have something that may be called one's own.

On the contrary, those who are governed at the will of another, or of others, and whose property may be taken from them by taxes, or otherwise, without their own consent, and against their will, are in the miserable condition of slaves. "For

liberty solely consists in an independency upon the will of another ; and by the name of slave, we understand a man who can neither dispose of his person or goods, but enjoys all at the will of his master," says Sidney, on government. These things premised, whether the British American colonies, on the continent, are justly entitled to like privileges and freedom as their fellow subjects in Great Britain are, shall be the chief point examined.

In discussing this question, we shall make the colonies in New England, with whose rights we are best acquainted, the rule of our reasoning ; not in the least doubting but all the others are justly entitled to like rights with them.

New England was first planted by adventurers, who left England, their native country, by permission of King Charles the First ; and, at their own expense, transported themselves to America, with great risk and difficulty settled among savages, and in a very surprising manner formed new colonies in the wilderness. Before their departure, the terms of their freedom, and the relation they should stand in to the mother country, in their emigrant state, were fully settled ; they were to remain subject to the King, and dependent on the kingdom of Great Britain. In return, they were to receive protection, and enjoy all the rights and privileges of free-born Englishmen.

This is abundantly proved by the charter given to the Massachusetts colony, while they were still in England, and which they received and brought over with them, as the authentic evidence of the conditions they removed upon. The colonies of Connecticut and Rhode Island, also, afterwards obtained charters from the crown, granting them the like ample privileges.

By all these charters, it is in the most express and solemn manner granted, that these adventurers, and their children after them for ever, should have and enjoy all the freedom and liberty that the subjects in England enjoy ; that they might make laws for their own government, suitable to their circumstances ; not repugnant to, but as near as might be, agreeable to the laws of England ; that they might purchase lands, acquire goods, and use trade for their advantage, and have an absolute property in whatever they justly acquired. These, with many other gracious privileges, were granted them by several kings ; and they were to pay, as an acknowledgment to the crown, only one-fifth part of the ore of gold and silver, that should at any time be found in the said colonies, in lieu of, and full satisfaction for, all dues and demands of the crown and kingdom of England upon them.

There is not any thing new or extraordinary in these rights granted to the British colonies ; the colonies from all countries, at all times, have enjoyed equal freedom with the mother state. Indeed, there would be found very few people in the world, willing to leave their native country, and go through the fatigue and hardship of planting in a new uncultivated one, for the sake of losing their freedom. They who settle new countries, must be poor ; and, in course, ought to be free. Advantages, pecuniary or agreeable, are not on the side of emigrants ; and surely they must have something in their stead.

To illustrate this, permit us to examine what hath generally been the condition of colonies with respect to their freedom ; we will begin with those who went out from the ancient commonwealths of Greece, which are the first, perhaps, we have any good account of.

Thucidides, that grave and judicious historian, says of one of them, " they were not sent out to be slaves, but to be the equals of those who remain behind ;" and again, the Corinthians gave public notice, " that a new colony was going to Epi-

damus, into which, all that would enter, should have equal and like privileges with those who stayed at home." This was uniformly the condition of all the Grecian colonies; they went out and settled new countries; they took such forms of government as themselves chose, though it generally nearly resembled that of the mother state, whether democratical or oligarchical. 'Tis true, they were fond to acknowledge their original, and always confessed themselves under obligation to pay a kind of honorary respect to, and show a filial dependence on, the commonwealth from whence they sprung. Thucydides again tells us, that the Corinthians complained of the Coreyreans, "from whom, though a colony of their own, they had received some contemptuous treatment; for they neither paid them the usual honor on their public solemnities, nor began with a Corinthian in the distribution of the sacrifices, which is always done by other colonies." From hence, it is plain what kind of dependence the Greek colonies were under, and what sort of acknowledgment they owed to the mother state.

If we pass from the Grecian to the Roman colonies, we shall find them not less free. But this difference may be observed between them, that the Roman colonies did not, like the Grecian, become separate states, governed by different laws, but always remained a part of the mother state; and all that were free of the colonies, were also free of Rome, and had right to an equal suffrage in making all laws, and appointing all officers for the government, of the whole commonwealth. For the truth of this, we have the testimony of St. Paul, who though born at Tarsus, yet assures us he was born free of Rome. And Grotius gives us the opinion of a Roman king, concerning the freedom of colonies; King Tullius says: "For our part, we look upon it to be neither truth nor justice, that mother cities ought of necessity and by the law of nature, to rule over their colonies."

When we come down to the latter ages of the world, and consider the colonies planted in the three last centuries, in America, from several kingdoms in Europe, we shall find them, says Puffendorf, very different from the ancient colonies, and gives us an instance in those of the Spaniards. Although it be confessed, these fall greatly short of enjoying equal freedom with the ancient Greek and Roman ones; yet it will be said truly, they enjoy equal freedom with their countrymen in Spain: but as they are all under the government of an absolute monarch, they have no reason to complain that one enjoys the liberty the other is deprived of. The French colonies will be found nearly in the same condition, and for the same reason, because their fellow subjects in France, have also lost their liberty. And the question here is not whether all colonies, as compared one with another, enjoy equal liberty, but whether all enjoy as much freedom as the inhabitants of the mother state; and this will hardly be denied in the case of the Spanish, French, or other modern foreign colonies.

By this, it fully appears, that colonies, in general, both ancient and modern, have always enjoyed as much freedom as the mother state from which they went out; and will any one suppose the British colonies in America, are an exception to this general rule? Colonies that came out from a kingdom renowned for liberty; from a constitution founded on compact; from a people, of all the sons of men, the most tenacious of freedom; who left the delights of their native country, parted from their homes, and all their conveniences, searched out and subdued a foreign country, with the most amazing travail and fortitude, to the infinite advantage and emolument of the mother state; that removed on a firm reliance of a solemn compact, and royal promise and grant, that they, and their successors for ever, should

be free; should be partakers and sharers in all the privileges and advantages of the then English, now British constitution.

If it were possible a doubt could yet remain, in the most unbelieving mind, that these British colonies are not every way justly and fully entitled to equal liberty and freedom with their fellow subjects in Europe, we might show, that the Parliament of Great Britain, have always understood their rights in the same light.

By an act passed in the thirteenth year of the reign of His late Majesty King George the Second, entitled An act for naturalizing foreign Protestants, &c.; and by another act passed in the twentieth year of the same reign, for nearly the same purposes, by both which it is enacted and ordained, "that all foreign Protestants, who had inhabited, and resided for the space of seven years, or more, in any of His Majesty's colonies, in America," might, on the conditions therein mentioned, be naturalized, and thereupon should "be deemed, adjudged and taken to be His Majesty's natural born subjects of the kingdom of Great Britain, to all intents, constructions and purposes, as if they, and every one of them, had been, or were born within the same."

No reasonable man will here suppose the Parliament intended by these acts to put foreigners, who had been in the colonies only seven years, in a better condition than those who had been born in them, or had removed from Britain thither, but only to put these foreigners on an equality with them; and to do this, they are obliged to give them all the rights of natural born subjects of Great Britain.

From what hath been shown, it will appear beyond a doubt, that the British subjects in America, have equal rights with those in Britain; that they do not hold those rights as a privilege granted them, nor enjoy them as a grace and favor bestowed; but possess them as an inherent indefeasible right; as they, and their ancestors, were free-born subjects, justly and naturally entitled to all the rights and advantages of the British constitution.

And the British legislative and executive powers have considered the colonies as possessed of these rights, and have always heretofore, in the most tender and parental manner, treated them as their dependent, though free, condition required. The protection promised on the part of the crown, with cheerfulness and great gratitude we acknowledge, hath at all times been given to the colonies. The dependence of the colonies to Great Britain, hath been fully testified by a constant and ready obedience to all the commands of His present Majesty, and his royal predecessors; both men and money having been raised in them at all times when called for, with as much alacrity and in as large proportions as hath been done in Great Britain, the ability of each considered.

It must also be confessed with thankfulness, that the first adventurers and their successors, for one hundred and thirty years, have fully enjoyed all the freedoms and immunities promised on their first removal from England. But here the scene seems to be unhappily changing.

The British ministry, whether induced by a jealousy of the colonies, by false informations, or by some alteration in the system of political government, we have no information; whatever hath been the motive, this we are sure of, the Parliament in their last session, passed an act, limiting, restricting and burdening the trade of these colonies, much more than had ever been done before; as also for greatly enlarging the power and jurisdiction of the courts of admiralty in the colonies; and also came to a resolution, that it might be necessary to establish stamp duties, and other internal taxes, to be collected within them. This act and this resolution,

have caused great uneasiness and consternation among the British subjects on the continent of America; how much reason there is for it, we will endeavor, in the most modest and plain manner we can, to lay before our readers.

In the first place, let it be considered, that although each of the colonies hath a legislature within itself, to take care of its interests, and provide for its peace and internal government; yet there are many things of a more general nature, quite out of the reach of these particular legislatures, which it is necessary should be regulated, ordered and governed. One of this kind is, the commerce of the whole British empire, taken collectively, and that of each kingdom and colony in it, as it makes a part of that whole. Indeed, every thing that concerns the proper interest and fit government of the whole commonwealth, of keeping the peace, and subordination of all the parts towards the whole, and one among another, must be considered in this light. Amongst these general concerns, perhaps, money and paper credit, those grand instruments of all commerce, will be found also to have a place. These, with all other matters of a general nature, it is absolutely necessary should have a general power to direct them; some supreme and over ruling authority, with power to make laws, and form regulations for the good of all, and to compel their execution and observation. It being necessary some such general power should exist somewhere, every man of the least knowledge of the British constitution, will be naturally led to look for, and find it in the Parliament of Great Britain; that grand and august legislative body, must, from the nature of their authority, and the necessity of the thing, be justly vested with this power. Hence, it becomes the indispensable duty of every good and loyal subject, cheerfully to obey and patiently submit to all the acts, laws, orders and regulations that may be made and passed by Parliament, for directing and governing all these general matters.

Here it may be urged by many, and indeed, with great appearance of reason, that the equity, justice, and beneficence of the British constitution, will require, that the separate kingdoms and distant colonies, who are to obey and be governed by these general laws and regulations, ought to be represented, some way or other, in Parliament; at least whilst these general matters are under consideration. Whether the colonies will ever be admitted to have representatives in Parliament,—whether it be consistent with their distant and dependent state,—and whether if it were admitted, it would be to their advantage,—are questions we will pass by; and observe, that these colonies ought in justice, and for the very evident good of the whole commonwealth, to have notice of every new measure about to be pursued, and new act that is about to be passed, by which their rights, liberties, or interests will be affected; they ought to have such notice, that they may appear and be heard by their agents, by council, or written representation, or by some other equitable and effectual way.

The colonies are at so great a distance from England, that the members of Parliament can generally have but little knowledge of their business, connections and interest, but what is gained from people who have been there; the most of these, have so slight a knowledge themselves, that the informations they can give, are very little to be depended on, though they may pretend to determine with confidence, on matters far above their reach. All such kind of informations are too uncertain to be depended on, in the transacting business of so much consequence, and in which the interests of two millions of free people are so deeply concerned. There is no kind of inconveniency, or mischief, can arise from the colonies having such notice, and

being heard in the manner abovementioned ; but, on the contrary, very great mischiefs have already happened to the colonies, and always must be expected, if they are not heard, before things of such importance are determined concerning them.

Had the colonies been fully heard, before the late act had been passed, no reasonable man can suppose it ever would have passed at all, in the manner it now stands; for what good reason can possibly be given for making a law to cramp the trade and ruin the interests of many of the colonies, and at the same time, lessen in a prodigious manner the consumption of the British manufactures in them? These are certainly the effects this act must produce; a duty of three pence per gallon on foreign molasses, is well known to every man in the least acquainted with it, to be much higher than that article can possibly bear; and therefore must operate as an absolute prohibition. This will put a total stop to our exportation of lumber, horses, flour and fish, to the French and Dutch sugar colonies; and if any one supposes we may find a sufficient vent for these articles in the English islands in the West Indies, he only verifies what was just now observed, that he wants truer information. Putting an end to the importation of foreign molasses, at the same time puts an end to all the costly distilleries in these colonies, and to the rum trade to the coast of Africa, and throws it into the hands of the French. With the loss of the foreign molasses trade, the codfishery of the English, in America, must also be lost, and thrown also into the hands of the French. That this is the real state of the whole business, is not fancy; this, nor any part of it, is not exaggeration, but a sober and melancholy truth.

View this duty of three pence per gallon, on foreign molasses, not in the light of a prohibition, but supposing the trade to continue, and the duty to be paid. Heretofore, there hath been imported into the colony of Rhode Island only, about one million one hundred and fifty thousand gallons, annually; the duty on this quantity, is £14,375, sterling, to be paid yearly, by this little colony; a larger sum than was ever in it at any one time. This money is to be sent away, and never to return; yet the payment is to be repeated every year. Can this possibly be done? Can a new colony, compelled by necessity to purchase all its clothing, furniture and utensils from England, to support the expenses of its own internal government, obliged by its duty to comply with every call from the crown to raise money on emergencies; after all this, can every man in it pay twenty-four shillings sterling, a year, for the duties of a single article, only? There is, surely, no man in his right mind, believes this possible. The charging foreign molasses with this high duty, will not affect all the colonies equally, nor any other near so much as this of Rhode Island, whose trade depended much more on foreign molasses, and on distilleries, than that of any others; this must show, that raising money for the general service of the crown, or of the colonies, by such a duty, will be extremely unequal, and therefore unjust.

And now, taking either alternative; by supposing on one hand, the foreign molasses trade is stopped, and with it the opportunity or ability of the colonies to get money; or on the other, that this trade is continued, and that the colonies get money by it, but all their money is taken from them by paying the duty; can Britain be gainer by either? Is it not the chiefest interest of Britain, to dispose of and to be paid for her own manufactures? And doth she not find the greatest and best market for them in her own colonies? Will she find an advantage in disabling the colonies to continue their trade with her? Or can she possibly grow rich, by their being made poor?

Ministers have great influence, and Parliaments have great power ;—can either of them change the nature of things, stop all our means of getting money, and yet expect us to purchase and pay for British manufactures? The genius of the people in these colonies, is as little turned to manufacturing goods for their own use, as is possible to suppose in any people whatsoever ; yet necessity will compel them to go naked, in this cold country, or to make themselves some sort of clothing, if it be only of the skins of beasts.

By the same act of Parliament, the exportation of all kinds of timber, or lumber, the most natural produce of these new colonies, is greatly encumbered and uselessly embarrassed, and the shipping it to any part of Europe, except Great Britain, prohibited. This must greatly affect the linen manufactory in Ireland, as that kingdom used to receive great quantities of flax seed from America, many cargoes, being made of that and of barrel staves, were sent thither every year ; but, as the staves can no longer be exported thither, the ships carrying only flax seed casks, without the staves, which used to be intermixed among them, must lose one half of their freight, which will prevent their continuing this trade, to the great injury of Ireland, and of the plantations. And what advantage is to accrue to Great Britain, by it, must be told by those who can perceive the utility of this measure.

Enlarging the power and jurisdiction of the courts of vice admiralty in the colonies, is another part of the same act, greatly and justly complained of. Courts of admiralty have long been established in most of the colonies, whose authority were circumscribed within moderate territorial jurisdictions ; and these courts have always done the business necessary to be brought before such courts for trial, in the manner it ought to be done, and in a way only moderately expensive to the subjects ; and if seizures were made, or informations exhibited, without reason, or contrary to law, the informer, or seizer, was left to the justice of the common law, there to pay for his folly, or suffer for his temerity.

But now, this course is quite altered ; and a custom house may make a seizure in Georgia, of goods ever so legally imported, and carry the trial to Halifax, at fifteen hundred miles distance ; and thither the owner must follow him to defend his property ; and when he comes there, quite beyond the circle of his friends, acquaintance and correspondents, among total strangers, he must there give bond, and must find sureties to be bound with him in a large sum, before he shall be admitted to claim his own goods ; when this is complied with, he hath a trial, and his goods acquitted. If the judge can be prevailed on, (which it is very well known may too easily be done,) to certify there was *only* probable cause for making the seizure, the unhappy owner shall not maintain any action against the illegal seizer, for damages, or obtain any other satisfaction ; but he may return to Georgia quite ruined, and undone, in conformity to an act of Parliament.

Such unbounded encouragement and protection given to informers, must call to every one's remembrance Tacitus's account of the miserable condition of the Romans, in the reign of Tiberius, their emperor, who let loose and encouraged the informers of that age. Surely, if the colonies had been fully heard, before this had been done, the liberties and properties of the Americans would not have been so much disregarded.

The resolution of the House of Commons, come into during the same session of Parliament, asserting their rights to establish stamp duties, and internal taxes, to be collected in the colonies without their own consent, hath much more, and for much more reason, alarmed the British subjects in America, than any thing that

had ever been done before. These resolutions, carried into execution, the colonies cannot help but consider as a manifest violation of their just and long enjoyed rights. For it must be confessed by all men, that they who are taxed at pleasure by others, cannot possibly have any property, can have nothing to be called their own; they who have no property, can have no freedom, but are indeed reduced to the most abject slavery; are in a condition far worse than countries conquered and made tributary; for these have only a fixed sum to pay, which they are left to raise among themselves, in the way that they may think most equal and easy; and having paid the stipulated sum, the debt is discharged, and what is left is their own. This is much more tolerable than to be taxed at the mere will of others, without any bounds, without any stipulation and agreement, contrary to their consent, and against their will.

If we are told that those who lay these taxes upon the colonies, are men of the highest character for their wisdom, justice and integrity, and therefore cannot be supposed to deal hardly, unjustly, or unequally by any; admitting, and really believing that all this is true, it will make no alteration in the nature of the case; for one who is bound to obey the will of another, is as really a slave, though he may have a good master, as if he had a bad one; and this is stronger in politic bodies than in natural ones, as the former have perpetual succession, and remain the same; and although they may have a very good master at one time, they may have a very bad one at another. And indeed, if the people in America, are to be taxed by the representatives of the people in Britain, their malady is an increasing evil, that must always grow greater by time.

Whatever burdens are laid upon the Americans, will be so much taken off the Britons; and the doing this, will soon be extremely popular; and those who put up to be members of the House of Commons, must obtain the votes of the people, by promising to take more and more of the taxes off them, by putting it on the Americans. This must assuredly be the case, and it will not be in the power even of the Parliament to prevent it; the people's private interest will be concerned, and will govern them; they will have such, and only such representatives as will act agreeably to this their interest; and these taxes laid on Americans, will be always a part of the supply bill, in which the other branches of the legislature can make no alteration; and in truth, the subjects in the colonies will be taxed at the will and pleasure of their fellow subjects in Britain.—How equitable, and how just this may be, must be left to every impartial man to determine.

But it will be said, that the monies drawn from the colonies by duties, and by taxes, will be laid up and set apart to be used for their future defence.

This will not at all alleviate the hardship, but serves only more strongly to mark the servile state of the people. Free people have ever thought, and always will think, that the money necessary for their defence, lies safest in their own hands, until it be wanted immediately for that purpose. To take the money of the Americans, which they want continually to use in their trade, and lay it up for their defence, at a thousand leagues distance from them, when the enemies they have to fear, are in their own neighborhood, hath not the greatest probability of friendship or of prudence.

It is not the judgment of free people only, that money for defending them, is safest in their own keeping, but it hath also been the opinion of the best and wisest kings and governors of mankind, in every age of the world, that the wealth of a state was most securely as well as most profitably deposited in the hands of their

faithful subjects. Constantius, emperor of the Romans, though an absolute prince, both practised and praised this method. "Dioclesian sent persons on purpose to reproach him with his neglect of the public, and the poverty to which he was reduced by his own fault. Constantius heard these reproaches with patience; and having persuaded those who made them in Dioclesian's name, to stay a few days with him, he sent word to the most wealthy persons in the provinces, that he wanted money, and that they had now an opportunity of showing whether or no they truly loved their prince. Upon this notice, every one strove who should be foremost in carrying to the exchequer all their gold, silver and valuable effects; so that in a short time Constantius, from being the poorest, became by far the most wealthy of all the four princes. He then invited the deputies of Dioclesian to visit his treasury, desiring them to make a faithful report to their master, of the state in which they should find it. They obeyed; and, while they stood gazing on the mighty heaps of gold and silver, Constantius told them, that the wealth which they beheld with astonishment, had long since belonged to him; but that he had left it, by way of depositum, in the hands of his people; adding, the richest and surest treasure of the prince was the love of his subjects. The deputies were no sooner gone, than the generous prince sent for those who had assisted him in his exigency, commended their zeal, and returned to every one what they had so readily brought into his treasury."—*Universal Hist.*, Vol. XV., p. 523.

We are not insensible, that when liberty is in danger, the liberty of complaining is dangerous; yet, a man on a wreck was never denied the liberty of roaring as loud as he could, says Dean Swift. And we believe no good reason can be given, why the colonies should not modestly and soberly inquire, what right the Parliament of Great Britain have to tax them. We know such inquiries, by a late letter writer, have been branded with the little epithet of *mushroom policy*; and he insinuates, that for the colonies to pretend to claim any privileges, will draw down the resentment of the Parliament on them.—Is the defence of liberty become so contemptible, and pleading for just rights so dangerous? Can the guardians of liberty be thus ludicrous? Can the patrons of freedom be so jealous and so severe? If the British House of Commons are rightfully possessed of a power to tax the colonies in America, this power must be vested in them in the British constitution, as they are one branch of the great legislative body of the nation; as they are the representatives of all the people in Britain, they have, beyond doubt, all the power such a representation can possibly give; yet, great as this power is, surely it cannot exceed that of their constituents. And can it possibly be shown that the people in Britain have a sovereign authority over their fellow subjects in America? Yet such is the authority that must be exercised in taking peoples' estates from them by taxes, or otherwise, without their consent. In all aids granted to the crown, by the Parliament, it is said with the greatest propriety, "We freely give unto Your Majesty;" for they give their own money, and the money of those who have entrusted them with a proper power for that purpose. But can they, with the same propriety, give away the money of the Americans, who have never given any such power? Before a thing can be justly given away, the giver must certainly have acquired a property in it; and have the people in Britain justly acquired such a property in the goods and estates of the people in these colonies, that they may give them away at pleasure?

In an imperial state, which consists of many separate governments, each of which hath peculiar privileges, and of which kind it is evident the empire of Great Britain

is ; no single part, though greater than another part, is by that superiority entitled to make laws for, or to tax such lesser part ; but all laws, and all taxations, which bind the whole, must be made by the whole. This may be fully verified by the empire of Germany, which consists of many states ; some powerful, and others weak ; yet the powerful never make laws to govern or to tax the little and weak ones ; neither is it done by the emperor, but only by the diet, consisting of the representatives of the whole body. Indeed, it must be absurd to suppose, that the common people of Great Britain have a sovereign and absolute authority over their fellow subjects in America, or even any sort of power whatsoever, over them ; but it will be still more absurd to suppose they can give a power to their representatives, which they have not themselves. If the House of Commons do not receive this authority from their constituents, it will be difficult to tell by what means they obtained it, except it be vested in them by mere superiority and power.

Should it be urged, that the money expended by the mother country, for the defence and protection of America, and especially during the late war, must justly entitle her to some retaliation from the colonies ; and that the stamp duties and taxes, intended to be raised in them, are only designed for that equitable purpose ; if we are permitted to examine how far this may rightfully vest the Parliament with the power of taxing the colonies, we shall find this claim to have no sort of equitable foundation. In many of the colonies, especially those in New England, who were planted, as is before observed, not at the charge of the crown or kingdom of England, but at the expense of the planters themselves ; and were not only planted, but also defended against the savages, and other enemies, in long and cruel wars, which continued for an hundred years, almost without intermission, solely at their own charge ; and in the year 1746, when the Duke D'Anville came out from France, with the most formidable French fleet that ever was in the American seas, enraged at these colonies for the loss of Louisbourg, the year before, and with orders to make an attack on them ; even in this greatest exigence, these colonies were left to the protection of Heaven and their own efforts.

These colonies having thus planted and defended themselves, and removed all enemies from their borders, were in hopes to enjoy peace, and recruit their state, much exhausted by these long struggles ; but they were soon called upon to raise men, and send out to the defence of other colonies, and to make conquests for the crown ; they dutifully obeyed the requisition, and with ardor entered into those services, and continued in them, until all encroachments were removed, and all Canada, and even the Havana, conquered. They most cheerfully complied with every call of the crown ; they rejoiced, yea, even exulted, in the prosperity and exaltation of the British empire.

But these colonies, whose bounds were fixed, and whose borders were before cleared from enemies, by their own fortitude, and at their own expense, reaped no sort of advantage by these conquests ; they are not enlarged, have not gained a single acre of land, have no part in the Indian or interior trade ; the immense tracts of land subdued, and no less immense and profitable commerce acquired, all belong to Great Britain ; and not the least share or portion to these colonies, though thousands of their men have lost their lives, and millions of their money have been expended in the purchase of them for great part of which we are yet in debt, and from which we shall not in many years be able to extricate ourselves. Hard will be the fate, yea, cruel the destiny, of these unhappy colonies, if the reward they are to receive for all this, is the loss of their freedom ; better for them Canada still

remained French; yea, far more eligible that it should remain so, than that the price of its reduction should be their slavery.

If the colonies are not taxed by Parliament, are they therefore exempted from bearing their proper share in the necessary burdens of government? This by no means follows. Do they not support a regular internal government in each colony, as expensive to the people here, as the internal government of Britain is to the people there? Have not the colonies here, at all times when called upon by the crown, raised money for the public service, done it as cheerfully as the Parliament have done on like occasions? Is not this the most easy, the most natural, and most constitutional way of raising money in the colonies? What occasion then to distrust the colonies? what necessity to fall on an individious and unconstitutional method, to compel them to do what they have ever done freely? Are not the people in the colonies as loyal and dutiful subjects as any age or nation ever produced? and are they not as useful to the kingdom, in this remote quarter of the world, as their fellow subjects are who dwell in Britain? The Parliament, it is confessed, have power to regulate the trade of the whole empire; and hath it not full power, by this means, to draw all the money and all the wealth of the colonies into the mother country, at pleasure? What motive, after all this, can remain, to induce the Parliament to abridge the privileges, and lessen the rights of the most loyal and dutiful subjects; subjects justly entitled to ample freedom, who have long enjoyed, and not abused or forfeited their liberties; who have used them to their own advantage, in dutiful subserviency to the orders and interests of Great Britain? Why should the gentle current of tranquillity, that has so long run with peace through all the British states, and flowed with joy and with happiness in all her countries, be at last obstructed, be turned out of its true course, into unusual and winding channels, by which many of those states must be ruined; but none of them can possibly be made more rich or more happy.

Before we conclude, it may be necessary to take notice of the vast difference there is between the raising money in a country by duties, taxes or otherwise, and employing and laying out the money again in the same country; and raising the like sums of money, by the like means, and sending it away quite out of the country, where it is raised. Where the former of these is the case, although the sums raised may be very great, yet that country may support itself under them; for as fast as the money is collected together, it is again scattered abroad, to be used in commerce and every kind of business; and money is not made scarcer by this means, but rather the contrary, as this continual circulation must have a tendency to prevent, in some degree, its being hoarded. But where the latter method is pursued, the effect will be extremely different; for here, as fast as the money can be collected, 'tis immediately sent out of the country, never to return but by a tedious round of commerce, which at best, must take up much time; here, all trade, and every kind of business depending on it, will grow dull, and must languish more and more, until it comes to a final stop at last. If the money raised in Great Britain in the three last years of the late war, and which exceeded £40,000,000, sterling, had been sent out of the kingdom, would not this have nearly ruined the trade of the nation in three years only? Think, then, what must be the condition of these miserable colonies, when all the money proposed to be raised in them, by high duties on the importation of divers kinds of goods, by the post office, by stamp duties, and other taxes, is sent quite away, as fast as it can be collected; and this to be repeated continually, and last forever! Is it possible for colonies under these

circumstances, to support themselves, to have any money, any trade, or other business, carried on in them? Certainly it is not; nor is there at present, or ever was, any country under heaven, that did, or possibly could, support itself under such bardens.

We finally beg leave to assert, that the first planters of these colonies were pious Christians; were faithful subjects; who, with a fortitude and perseverance little known, and less considered, settled these wild countries, by God's goodness, and their own amazing labors; thereby added a most valuable dependence to the crown of Great Britain; were ever dutifully subservient to her interests; so taught their children, that not one has been disaffected to this day; but all have honestly obeyed every royal command, and cheerfully submitted to every constitutional law; have as little inclination as they have ability, to throw off their dependency; have carefully avoided every offensive measure, and every interdicted manufacture; have risked their lives as they have been ordered, and furnished their money when it has been called for; have never been troublesome or expensive to the mother country; have kept due order, and supported a regular government; have maintained peace, and practiced Christianity; and in all conditions, and in every relation, have demeaned themselves as loyal, as dutiful, and as faithful subjects ought; and that no kingdom or state hath, or ever had, colonies more quiet, more obedient, or more profitable, than these have ever been.

May the same divine goodness, that guided the first planters, protected the settlements, inspired Kings to be gracious, Parliaments to be tender, ever preserve, ever support our present gracious King; give great wisdom to his ministers, and much understanding to his Parliaments; perpetuate the sovereignty of the British constitution, and the filial dependency and happiness of all the colonies.

P——.

Providence, in New England, November 30, 1764.

Secretary Sharpe to the Governor and Company of Rhode Island, with accompanying documents concerning certain disorderly proceedings in Newport.

At the Court at St. James's,
the 19th day of March, 1765.

Present, the King's Most Excellent Majesty in Council.

Whereas, there was this day read at the board, a report from the Right Honorable the Lords of the Committee of Council for Plantation Affairs, dated the 15th of this instant, upon considering several papers relative to the riotous behaviour of the inhabitants of Rhode Island, in opposition to Lieutenant Hill, commanding officer of the schooner St. John, and acting as a custom house officer, to prevent smuggling, and carrying on an illicit trade in those parts;—

His Majesty taking the said report into consideration, is pleased, with the advice of his privy council, to approve of what was therein proposed, and doth hereby order, that copies of the said papers (which are hereunto annexed,) be transmitted to the Governor and Company of the colony of Rhode Island and Providence Plantations; who are to return to His Majesty, at this board, with all possible despatch, an exact and punctual account of the whole proceeding, authenticated in the best manner, the nature of the case will admit of; together with the names and descrip-

tions of the offenders, and what means were used at the time of the tumult, by the government and magistracy of that colony, for the suppression thereof, and the protection of His Majesty's vessels and their crews; particularly, whether any thing, and what was done, by the government of the said colony, when the populace possessed themselves of the battery, upon Goat Island; and what measures have been since taken, to discover and bring to justice the offenders.

W. SHARPE.

Extract of a letter from Rear Admiral Lord Colvill, to Mr. Stepens, dated at Halifax, the 26th of July, 1764.

"In my letter of the 18th of June, I informed their lordships that I had despatched four of the armed vessels, to spread themselves in the principal harbors between Casco Bay and Cape Henlopen, in order to raise men.

Lieutenant Hill, in the *St. John*, who went first upon this service, returned last night, with very little success; the merchants having, to all appearance, entered into a combination to distress us, as far as they are able, and by threats and promises, to prevent seamen from entering for those vessels.

The behaviour of the people at Rhode Island, to Lieut. Hill, in an affair of his duty as a custom house officer, was so extremely insolent and unprecedented, that I think it my duty to lay before their lordships an account thereof, under his own hand; at the same time, to observe, that from his conversation, I have reason to think there are many aggravating circumstances omitted in this account, which would appear upon strict inquiry into the affair."

Remarks on board His Majesty's schooner, the *St. John*, in Newport harbor, Rhode Island.

"On the 30th of June, being at Newport, in Rhode Island, I received information that a brig was unloading in a creek, near Howland's Ferry. I immediately weighed anchor, and went in quest of her. Upon my arrival there, I found the vessel had unloaded her cargo and sailed.

I forthwith made seizure of the cargo, which consisted of ninety-three hogsheads of sugar; and at night sent the boat manned and armed, in pursuit of the brig, which was taken the next morning, at day break, and proved to be the *Basto*, of New York, ———, Wingate, master, from Monto Christo.

I re-loaded the sugars on board her; and the owner being apprehensive that I intended to carry her to Halifax, had me arrested, and obliged me to find bail that she should be brought to Newport and tried there; on the 4th July, the collector of the customs re-seized the brig and cargo, under a pretence that I was not properly qualified; although I imagined that I had taken all the necessary oaths at Halifax; yet it seems the oath of office had been omitted. I immediately set out by land, for Boston, to consult the surveyor general, on this matter; and in my absence, the mob at Newport endeavored to destroy the King's vessel. The following is the account which I received of this affair, from my officers, upon my return.

"On Monday, the 9th July, 1764, at two o'clock in the afternoon, sent the boat manned and armed, on shore, to bring off Thos. Moss, a deserter, who had left the vessel some days before, and was then on the wharf; a large mob assembled and rescued him; and seeing our people in great danger, we fired a swivel, unshotted, as signal for the boat to come on board. The mob took Mr. Doyle, the officer of the

boat, prisoner, and wounded most of the boat's crew, with stones, which fell as thick as hail round and in the boat; and they threatened to sacrifice Mr. Doyle, if the pilot was not immediately sent on shore, and delivered up to their mercy; they even threatened to haul the schooner on shore, and burn her.

At five, we sent the boat on board the Squirrel, to acquaint the commanding officer of our situation. In the meantime, the mob filled a sloop full of men, and bore right down to board us; but seeing us determined to defend the vessel, they thought proper to sheer off and go on shore again.

At six, the boat returned from the Squirrel, with orders to get under way, and anchor close under her stern. The mob growing more and more tumultuous, we fired a swivel, and made a signal to the Squirrel, for assistance, and got under sail. As soon as the mob saw our design, they sent a sloop and two or three boats full of men, to the battery, on Goat Island, and began to fire on us, notwithstanding the lieutenant of the Squirrel went on shore and forbade the gunner to do any such thing. They even knocked him down; and it was with much difficulty that he got from them; they fired eight shot at us, one of which, went through our mainsail, whilst we were turning out.

At eight, we anchored in ten fathom water, within half a cable's length of the Squirrel, and received one shot more from the battery, which went close under the Squirrel's stern. They threatened to sink us, if we did not immediately weigh and run into the harbor again; but upon the Squirrel's getting a spring upon the cable and bringing her broad side to bear upon the battery, they left off.

At eleven, next morning, they set Mr. Doyle at liberty.

(A copy.)

THOS. HILL."

Extract of a letter from the Right Honorable Lord Colvill, Commander in Chief of His Majesty's ships and vessels in North America, to Mr. Stevens, dated on board His Majesty's ship, the Romney, 24th August, 1764.

"In my letter of the 26th July, I enclosed you the account which I received from Lieutenant Hill, commander in chief of the St. John schooner, of the treatment he met with from the people of Newport, in Rhode Island; since which, I have had a letter from Captain Smith, of the Squirrel, relative to the same affair, an extract of which, I now enclose, together with his lieutenant's account of the transaction."

Copy of an extract of a letter from Captain Smith, to Lord Colvill, dated Squirrel, Rhode Island, 12th July, 1764.

"On Monday last, I was ashore, and on my return, received the enclosed account, from my lieutenant, of a most insolent and ignorant abuse of power in the government of this place, on which I immediately sent on shore for the gunner of the fort, to know his authority for firing on the King's colors. He produced an order for stopping that vessel, signed by two of the Council, the Deputy Governor being absent at that time.

I, in company with my lieutenant, waited on the Governor and Council, to demand a proper acknowledgment of the insult they had committed, in order to inform Your Lordship of it; I found them a set of very ignorant council.

They agreed that the gunner had acted by authority, and that they would answer for it, when they thought it necessary.

It appears to me, that they were guided by the mob, whose intentions were to murder the pilot, and destroy the vessel. I am very sorry they ceased firing before we had convinced them of their error. But I hope it will, by Your Lordship's representation, be the means of a change of government in this licentious republic."

The lieutenant of the Squirrel's account of the above affair :

"In the afternoon, as I was walking the deck, I saw a gun fired from the St. John; soon after, her boat, with a petty officer, came on board, and told me that the mob had rescued the deserter, detained the master, and wounded all the boat's crew; and that the gun fired, was for the boat to return on board; that the people from the town hailed the schooner, and desired them to send the pilot on shore, or they would sacrifice the master, and had manned several boats to board them. I then ordered him to return on board, and to make a signal if they attempted any thing further; likewise, to bring the schooner out, and anchor near us.

Soon after, several gentlemen came on board, and said they came to represent the occasion of this disturbance, lest the officer of the schooner should have made a misrepresentation of the affair. They said there was a theft committed by three of the schooner's people; that they had one in possession, and wanted the other two, who were on board the schooner; that a peace officer had went off, and they had refused him admittance; and they now imagined he would return with an armed force, to gain admittance. I told the gentlemen the offenders should be sent on shore.

The signal was then made by the schooner, pursuant to my former directions; I immediately sent a boat and a petty officer, to order her out of the harbor; on which the gentlemen told me they would fire on her from the fort. I then told the officer, if they fired from the fort, to go on shore to the fort, and let them know it was my orders for her to move and anchor near us; and that the men should be delivered to justice; and if he fired again, I should be obliged to return it. They still continued their fire. I then ordered a spring on our cable, and went ashore, to the fort, to let them know the consequence of their behaviour. I found no other officer than the gunner, governed by a tumultuous mob, who said they had orders to fire, and they would fire. They used me with very great insolence, and knocked me down, and would have detained me. I then returned to the boat, ordered the ship to prepare for action, and proceeded on board the schooner, and brought her to anchor near the ship; they then ceased firing.

I then went on shore, to demand justice of the Deputy Governor for the treatment I had received at the fort. He replied I must pursue the law. I told him I would redress myself, if there were to be found, as he seemed not active to do me justice. I then returned to take the people off who had insulted me, but could not find them."

The account from which the above is copied, appears to be in Captain Smith's hand-writing, but not signed by Lieut. Hugh Bachie, of the Squirrel, as I imagine, from forgetfulness.

COLVILL

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1765.

The Hon. Samuel Ward, Governor.

Hon. Elisha Brown, Deputy Governor.

The following officers, declared elected, were duly engaged

ASSISTANTS.

| | |
|-------------------------|-----------------------|
| Mr. Nicholas Easton, | Mr. Nathaniel Searle, |
| Mr. Gideon Wanton, Jr., | Mr. Joseph Harris, |
| Mr. Jabez Bowen, | Mr. Caleb Allen, |
| Mr. Ezekiel Comstock, | Mr. Thomas Haszard, |
| Mr. John Jepson, | Mr. Othniel Gorton. |

DEPUTIES.

| | |
|------------------------|---------------------------|
| <i>Newport.</i> | <i>Warwick.</i> |
| Mr. Metcalf Bowler, | Lieut. Col. James Arnold, |
| Mr. John Wanton, | Capt. Randal Rice, |
| Mr. George Hazard, | Mr. Richard Greene, |
| Mr. Benjamin Greene, | Mr. Thomas Greene. |
| Mr. Samuel Carr, | <i>Westerly.</i> |
| Capt. William Read. | Capt. George Stillman, |
| <i>Providence.</i> | Mr. David Maxson. |
| Mr. Daniel Jenckes, | <i>New Shoreham.</i> |
| Mr. Moses Brown, | Capt. Edward Sands, |
| Mr. Jacob Wightman, | Capt. John Paine. |
| Col. Charles Olney. | <i>North Kingstown.</i> |
| <i>Portsmouth.</i> | Mr. William Hall, |
| Mr. David Anthony, | Mr. Ezekiel Gardner. |
| Mr. Thomas Brownell, | <i>South Kingstown.</i> |
| Mr. Oliver Earle, | Mr. William Potter, |
| Mr. Jonathan Freeborn. | Mr. Thomas Potter, Jr. |

DEPUTIES.

East Greenwich.

Maj. Preserved Pierce,
Mr. Abial Hall.

Jamestown.

Mr. John Gardner,
Mr. George Franklin.

Smithfield.

Mr. Thomas Steere,
Mr. Samuel Winsor.

Scituate.

Capt. Job Randall,
Mr. Jeremiah Angell.

Glocester.

Mr. Richard Steere,
Capt. Israel Arnold.

Charlestown.

Capt. Robert Potter,
Mr. Joseph Hoxie.

West Greenwich.

Capt. Charles Carr,
Mr. Benjamin Tillinghast.

Coventry.

Mr. Obadiah Johnson,
Mr. John Rice.

Exeter.

Mr. Daniel Barber.
Capt. Thomas Wilcox.

Middletown.

Mr. Joshua Barker,
Mr. John Holmes.

William Bradford, Esq., speaker; Josias Lyndon, clerk.

Bristol.

Mr. William Bradford,
Mr. Nathaniel Pearce.

Tiverton.

Capt. Edward Gray,
Capt. William Cooke.

Little Compton.

Mr. William Hall,
Mr. Oliver Hilyard.

Warren.

Mr. James Mason,
Major Nathaniel Peck,

Cumberland.

Mr. Jeremiah Whipple,
Mr. Joseph Davis.

Richmond.

Major Richard Bailey,
Capt. Simeon Clarke.

Cranston.

Capt. Richard Searle,
Capt. William Field.

Hopkinton.

Major Joshua Clarke,
Mr. John Maxson.

Johnston.

Lieut. Col. Josiah Thornton,
Mr. Abraham Belknap.

Mr. Henry Ward, secretary.

Mr. Augustus Johnston, attorney general.

Mr. Joseph Clarke, general treasurer.

Joseph Russell, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Joseph Wanton, son of Gideon. Providence county, Mr. Paul Tew. Kings county, Mr. Peter Phillips. Bristol county, Mr. William Coggeshall. Kent county, Mr. Charles Holdon, Jr.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Benjamin Sherburne, Esq., colonel; Jabez Champlin, Esq., lieutenant colonel; Charles Spooner, Esq., major.

Providence county, Charles Olney, Esq., colonel; John Waterman, Esq., Jr., lieutenant colonel; David Burr, Jr., major.

Kings county, John Crandall, Esq., colonel; Nathaniel Mumford, Esq., lieutenant colonel; James Babcock, Esq., major.

Bristol county, Nathaniel Carey, Esq., colonel; Caleb Carr, Esq., lieutenant colonel; Samuel Allen, Esq., major.

Kent county, John Wells, Esq., colonel; Henry Gardner, Esq., lieutenant colonel; John Johnson, Esq., major.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write to the agent of this colony, in Great Britain, desiring him to inform this colony what progress he hath made in obtaining a reimbursement to the colony for their expenses in the campaign of the year 1756; and also to request the agent to use his utmost endeavors to obtain the same, if not already obtained.

God save the King.

The Governor of Rhode Island to the Earl of Halifax.

Newport, on Rhode Island, May 15th, 1765.

My Lord:—Having the honor to be elected Governor of this colony, I have embraced the earliest opportunity to assure Your Lordship of my fidelity and attachment to His Majesty's royal person, family and government; and that I have

nothing in this world so much at heart, as His Majesty's service, the honor and interest of Great Britain and the welfare and happiness of this colony.

That His Majesty may long, very long reign over the widely extended British dominions, and enjoy the ineffable satisfaction and glory of making all his subjects happy, is the ardent prayer of His Majesty's most loyal subject; and, My Lord, Your Lordship's most obedient, humble servant,

S. WARD.

To the Right Honorable the Earl of Halifax.

The Governor of Rhode Island to Joseph Sherwood, the colony's agent in London.

Newport, 17th May, 1765.

Sir:—Upon my being elected Governor of the colony, at the general election, in May, instant, the General Assembly passed an act, requesting me to write to you upon the subject of the money which the government expected as a reimbursement for the expenses they were at for ordnance stores, &c., for the use of the crown, in 1756. What measures have been lately taken in this affair, I am a stranger to, not having yet received any of the public papers from my King's predecessor; but this I well know, that the expenses incurred in the war for the service, have brought upon us such a heavy load of debt, that we have the greatest need of every assistance which our mother country can possibly afford us; and as some of the other governments have received very considerable sums for services of the same kind, in the same year, we can't but think it reasonable that this colony, which always exerted as much spirit and vigor for His Majesty's service as any other government, without exception, should receive the same allowances; and we doubt not but if the affair had been timely and properly represented, we should have received the same favor long since; but, as we hope it is not yet too late, I must recommend to you, in the strongest terms, to take every proper measure for obtaining an adequate reimbursement of the expenses above mentioned; and desire you to inform me what measures you have taken, and what progress you may make therein.

I shall soon write to you again; in the mean time, I must desire you to give the greatest attention to the government's affairs, and to give me the earliest notice of every thing upon the carpet, which concerns the interest of the colony, that the most seasonable and effectual measures may be taken for the good of the government.

I am, sir, &c., &c.,

SAM. WARD.

To Joseph Sherwood, Esq,

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1765.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

It is voted and resolved, that George Hazard, Esq., Metcalfe Bowler, Esq. and Mr. Edward Thurston, be, and they, or the major part of them, are hereby appointed a committee to examine all the letters that have been received by this colony, since the act was passed for recording such letters; and that they separate such letters as they shall think proper, and deliver them to the secretary, to be recorded, agreeably to said act; that His Honor the Governor, and the secretary, deliver all the government's letters in their hands, to the said committee, which have been received since the making the above mentioned act; and that they make report to this Assembly as conveniently may be.

Whereas, a number of freemen, inhabitants of the towns of Warwick and Cranston, preferred a petition unto this Assembly, praying that a certain part of the said towns, described in the said petition, may be set off, and erected into a township, to be called Pawtuxet, &c.; which being duly considered,—

It is voted and resolved, that the said petition be referred to the next session of this Assembly; and that in the mean time, the towns of Warwick and Cranston, be served with a copy of the said petition, and cited to appear at the next session, to answer the same.

It is voted and resolved, that the petition for dividing the town of Providence into two towns, be, and the same is hereby, granted.

Protests.

We, the subscribers, beg leave to protest against the vote of this house, for dividing the town of Providence, for the following reasons, to wit :

First. That the town is already reduced to a small extent of land, so that no inconvenience can arise on account of the distance the freemen are to go, to do the business necessary for the town ; and that the court there is more convenient for the reception of the whole town, than any house in the part to be taken off, is to receive the freemen of such part.

Secondly. That the line mentioned in the petition, takes off upwards of forty houses containing about sixty freemen, from the part called, and by the law established to be, the compact part of said town ; which number of freemen are concerned in, and live by, merchandise, by their trades, and by going to sea on wages, as much as the same number of freemen, taken together, in any other part of the compact part of said town ; by which it is evident, the interest of these and of the country part, must be as different as the interest of the compact part and the country part now is ; and of course, the same, and more difficulties must very soon arise ; and the compact part now to be taken off, or the country part, must (by the same reason this division is urged on) soon petition the General Assembly to be set off from the other.

Thirdly. That the practice of dividing compact towns is unheard of before, there being no instance in our colony, or in history, to be produced, of dividing a compact town, corporation, or city ; but on the contrary, divers instances may be produced of different corporations or towns being united and incorporated into one city ; that the precedent, by this vote introduced, may have a tendency to increase and multiply the towns in this colony to a number that may be highly injurious to the public weal ; for the reasons offered for dividing this town, are much less weighty than those that may be offered from divers other towns in this colony, whose extent of lands is much greater.

Fourthly. That the proposed line of division takes off the grist mill, the place whereon it stands, together with one hundred and fifty acres of land, which was given by the original inhabitants of the town of Providence, to John Smith, and his heirs, &c., on conditions entered into by the said town and the said Smith, that he, the said Smith, should uphold the said mill useful and sufficient to grind the corn that shall be needful for the inhabitants of the said town or plantation of Providence, under certain regulations ; the depriving of the town of which fatherly provision, made and provided for the inhabitants of said town, by their ancestors, so long ago as the year 1646, and confirmed in 1667, and which they have hitherto enjoyed, may, and in our opinion will, be most grievous and burthensome to the inhabitants of said town ; more especially, as there will be no grist mill left in said town, nor any place where water-works can be erected.

Fifthly. That the only training field, and public burial place, now belonging to the town, will be taken off into the proposed town, by the line mentioned in the petition ; where by the old town will be deprived of their ancient grant made them about the year 1700, by the proprietors, and of the monuments of hundreds of their deceased ancestors, whose memories they ought to transmit to the latest posterity. The said grant expresses, " That the said land shall perpetually lie in common for the uses of a trainfield, and for the use of burying their dead, and for other public uses, as

the said town of Providence shall see cause, not damnifying the uses particularly mentioned."

Sixthly. As it does not appear that the town of Providence hath been cited, nor any return of any citation, agreeably to the vote of the Assembly, at receiving the petition, and the standing law of the colony.

If the foregoing reasons should be thought insufficient, we are humbly of opinion the said town of Providence ought to have liberty to add such other reasons as they shall think proper.

MOSES BROWN,
JACOB WHITMAN,
DANIEL JENCKES.

We, the subscribers, beg leave to protest against the division of the town of Providence into two towns, for the following reasons:

1st. That the town of Providence is not so large in extent but that they have a convenient colony house to do their business in.

2d. As the colony is so small, and divided into so many towns already, we are of opinion, it is vastly prejudicial to the interest of the colony that it should be done.

THOMAS POTTER, JR.,
METCALFE BOWLER.

We, the subscribers, beg leave to protest against the vote of the lower house, for dividing the town of Providence into two towns.

1st. For that it will be the means of creating more deputies to sit in the General Assembly, when, in our opinion, the number ought to be lessened rather than multiplied.

2d. The making more towns in the colony will occasion a public expense, as all towns must necessarily have a proper number of commissioned officers therein.

WILLIAM POTTER,
GEORGE HAZARD,
BENJAMIN GREENE.

Whereas, Daniel Jenckes, Esq., preferred a petition, and represented unto this Assembly, that he, with Messrs. Nathan Angell, Nicholas Tillinghast, Daniel Tillinghast and John Jenckes, were owners of the sloop Kinnicut, and her cargo, which was taken by a Spanish privateer, belonging to the island of Trinidad, in the West Indies, since the cessation of hostilities between the crowns of Great Britain and Spain, and carried into the said island of Trinidad, and there condemned as a lawful prize; that they have since made application to the courts of Great Britain and Spain for restitution of the said vessel and cargo, and have lately received an order from the king of Spain, directed to the Governor of Trinidad, aforesaid, commanding him to make full satisfaction for the said vessel and

cargo, without any deduction ; and thereupon, the said Daniel Jenckes prayed this Assembly to empower His Honor the Governor, to grant a proper commission, and all the necessary papers, to enable them to send to the said island of Trinidad, to demand satisfaction for the said vessel and cargo, agreeably to the King of Spain's mandate for that purpose ; on consideration whereof,—

It is voted and resolved, that the foregoing petition be granted ; and that His Honor the Governor, be, and he is hereby, requested and empowered to qualify a vessel, and such person or persons as the owners of the aforesaid sloop Kinnicut and her cargo shall think fit to entrust, with all papers necessary for their proceeding with safety to the said island of Trinidad, in order to demand restitution and satisfaction, as aforesaid.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to issue a proclamation, in the Newport Mercury, desiring all persons in this colony who have sustained any damage at, or upon the islands in the West Indies, called the Turks Islands, to bring in their respective accounts of the same, to His Honor the Governor, as soon as may be, in order that they may be transmitted to Jamaica, for relief.

It is voted and resolved, that the general treasurer be, and he is hereby, empowered and directed to pay all such lawful money bills, emitted by this colony in the years 1756, 1758 and 1759 ; and also, all such Crown Point bills as shall be brought into the general treasury, so far as the money lodged in the general treasury for that purpose, will answer.

An Act for dividing the town of Providence.

Whereas, a large number of the inhabitants of the northern part of the town of Providence, preferred a petition, and represented unto this Assembly, that there are within the limits of said township, upwards of four hundred freemen ; that those who dwell in the most compact part, are altogether merchants and tradesmen ; and that far the greater part of the petitioners

dwell in the more remote part of said township, and are near all farmers, whose interest and business often times differ from the merchants; that town meetings have been often called, and held in the compact part, upon matters and things which did not, and do not concern the farmers in the northern and more remote parts of said town; that they, the petitioners, nevertheless, have been, and still are, obliged to leave farming business, and to attend upon said meetings, to prevent things being voted to their disadvantage which hath occasioned much loss of time, contention and expense, which ought to be borne by the merchants and tradesmen; all which, being very inconvenient, they prayed to be set off, erected and made into a township; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the said town of Providence be, and the same is hereby, divided into two distinct and separate towns; and that the bounds of the northern part, hereby set off, begin at the new bridge, near to the hill called Solitary Hill; thence, bounding on Wanasquatucket River, until it comes to the north-west corner of the town's land, at the east end of a place called Forestack Meadow; thence, easterly on a straight line to the middle of the mill bridge; thence, on a due east line until it comes to Seaconck River, so called; thence, northerly, bounding on said Seaconck River, until it comes to Smithfield line; thence, bounding by Smithfield line, until it comes to Johnston line; and thence, bounding westerly, by Johnston line, until it comes to the afforesaid Solitary Hill; that all the lands included within the limits aforesaid, shall be, and hereby are, erected and made into a township, to be distinguished, called and known by the name of North Providence; that the inhabitants thereof shall choose two deputies to represent them in the General Assembly; and that they shall have, hold, and enjoy all and singular the liberties, privileges and immunities, which the other towns in this colony enjoy, and are entitled to.

And be it further enacted by the authority aforesaid, that all debts due and money belonging to the town of Providence,

before the division thereof, by this act made, shall be divided according to the last tax ; and all debts due from the said towns before the division, shall be settled and made in like manner.

And be it further enacted by the authority aforesaid, that all and every of the justices of the peace, and military officers, that were chosen and appointed for the town of Providence, who live in that part thereof, which is now made North Providence, be, and they are hereby, continued in their respective offices, with as full power and ample authority, in every particular, as they had in consequence of their being chosen into, and commissioned for, the offices by them respectively sustained ; and John Olney, Esq., is hereby authorized and fully empowered to issue a warrant, and call the freemen of the said town of North Providence to meet together, at the house of Capt. Thomas Olney, within the same, on or before the 8th day of July, in order to choose and appoint all officers necessary for managing and conducting the prudential affairs of said town, agreeably to the laws of this colony.

And be it further enacted by the authority aforesaid, that all town meetings in said town, shall be holden at the dwelling house of the aforesaid Thomas Olney ; it being agreed upon by the said petitioners, as near the centre and most convenient ; and that the said town shall send one grand juror and one petit juror, unto all and every the superior courts of judicature, courts of assize and general jail delivery ; and also unto all and every the inferior courts of common pleas and general sessions of the peace, that shall hereafter be holden within and for the county of Providence.

And be it further enacted by the authority aforesaid, that the town of Providence shall forever have and enjoy the full, constant and free use, privilege and improvement of the burying hill or ground, that is now to be taken off in the town of North Providence, according as it now is stated and laid out by the town of Providence, for burying their dead, making monuments for the same, and also for mustering their trained bands, and exercising their soldiers thereon, as usual, hereto-

fore, to all intents and purposes ; any thing to the contrary, in this act, or any part thereof, notwithstanding.

And be it further enacted by the authority aforesaid, that for the future, the town of Providence shall send one grand and one petit juror to each of the superior courts of judicature, courts of assize and general jail delivery ; and one grand and one petit juror to each of the inferior courts of common pleas and general sessions of the peace, that shall be holden in and for the county of Providence.

And be it further enacted by the authority aforesaid, that the poor be divided between the said two towns in proportion to the taxes and debts.

It is voted and resolved, that Henry Harris, Esq., and Col. William Brown, be, and they are hereby, appointed a committee to run the line between the towns of Providence and North Providence ; that they erect such monuments in the line as they shall think necessary ; and that they make report to this Assembly, as soon as may be.

God save the King.

The Speaker of the House of Representatives of Massachusetts to the Speaker of the House of Representatives of Rhode Island.

Province of the Massachusetts Bay,
Boston, June —, 1765.

Sir :—The house of representatives of this Province, in the present session of the General Court, have unanimously agreed to propose a meeting, as soon as may be, of committees from the houses of representatives or burgesses of the several British colonies, on this continent, to consult together on the present circumstances of the colonies, and the difficulties to which they are, and must be, reduced by the operation of the acts of Parliament, for levying duties and taxes on the colonies, and to consider of a general and united, dutiful, loyal and humble representation of their condition to His Majesty, and the Parliament ; and to implore relief.

The house of representatives of this Province have also voted to propose that such meeting be at the city of New York, in the Province of New York, on the first Tuesday of October next ; and have appointed a committee of three of their members, to attend that service, with such as the other houses of representatives or burgesses in the several colonies, may think fit to appoint to meet them ; and the committee of the house of representatives of this province, are directed to repair to said New York on said first Tuesday of October next, accordingly.

If therefore, your honorable house should agree to this proposal, it would be acceptable, that as early notice of it as possible might be transmitted to the speaker of the house of representatives of this Province.

SAMUEL WHITE, Speaker.

To the Speaker of the House of Representatives, of Rhode Island.

The Earl of Halifax to the Governor and Company of Rhode Island.

St. James, June 8th, 1765.

Gentlemen :—I herewith transmit to you, by the King's command, the copy of a letter from His Excellency the French ambassador, in which he solicits, by order of his court, the protection and assistance of this government, in favor of the Sieur Maginel, of Dunkirk ; who, having many years ago, obtained of the Governor and Council of Rhode Island a decree of restitution of his ship, the *Claude Marie*, (taken in 1741,) with costs, interest and damages, was prevented by the breaking out of the subsequent war, from carrying that judgment into execution.

It is His Majesty's pleasure that you should make immediate inquiry into the circumstances alleged in His Excellency's letter, and transmit to me the fullest informations thereupon, that I may be enabled to return a proper answer to his request ; and I am also to recommend it to you, to give the agents or representatives of the Sieur Maginel every facility in your power, towards obtaining that justice which, upon inquiry and examination, shall appear to be due to them.

I am, &c.,

DUNK HALIFAX.

To the Governor and Company of Rhode Island.

The French Ambassador, in London, to the Earl of Halifax.

A Londres ce 31 May, 1765.

My Lord :—Je suis chargé par ma cour d'explorer la justice et la protection du gouvernement Britannique en faveur du Sieur Maginel Capitaine et Armateur du navire *Le Claude Marie* de Dunkerque. Quoique l'affaire dont il est question ait dans son origine une époque un peu reculée, Votre Excellence jugera aisément des raisons qui sont cause qu'elle n'a pu être traitée que depuis la dernière Paix, par le précis que je vais luy en faire.

Cet Armateur partit le 10 Novembre, 1741, de la Martinique avec Son Navire pour faire Son Commerce d'interlope sur la Côte d'Espagne ; il fut attaqué et pris, quoiqu'en pleine Paix entre la France et L'Angleterre, par un Corsaire de Rhode Island, qui usa de toutes Sortes de Violences pour l'obliger à déclarer que le Batiment qu'il montoit appartenait à des Espagnols avec qui L'Angleterre étoit pour lors en Guerre ; il fut conduit avec Son Batiment à Charlestown ; y intenta procès au Corsaire, et après huit mois de procédures la restitution fut prononcée ; mais comme la Cargaison de Son Batiment avoit été volée, et qu'on luy avoit adjugé ny Dommages, intérêts, ny Dépens, il fut à la Martinique implorer la protection des chefs de la

colonie, qui luy donnèrent des lettres pour le Gouverneur de Rhode Island où il retourna pour poursuivre les Armateurs du Corsaire qui l'avoit pris ; et apres de longues discussions le conseil luy adjugea les Dépens et les Dedommagemens qu'il avoit demandés, ce qu'il offre de prouver par les pièces qu'il a entre les mains.

Dans ces circonstances, la Guerre s'étant déclaréé la France et l'Angleterre, cet Armateur n'a pû faire exécuter ce jugement, et depuis ce tems il s'est trouvé privé de la Totalité de son bien qu'il avoit employé a cette expedition.

Votre Excellence verra, d'après ce raport, qu'il s'agiroit actuellement que le Sieur Maginel pût obtenir á Rhode Island le payement d'une dette aussi legitime, et c'est sur quoy je la supplie au nom de ma cour, de vouloir bien accorder toute sa protection á cet Armateur François.

J'ay l'honneur, &c.,

GUERCHY.

To My Lord Comte Halifax.

[TRANSLATION.]

London, May 31, 1765.

My Lord :—I am ordered by our court, to demand justice and protection of the English government, in favor of Sieur Maginel, captain and owner of the ship *Claude Marie*, of Dunkirk ; although the matter in question is of long standing, Your Excellency will easily judge the reasons which have hindered its being treated upon until the last peace, by the account I am now going to give you.

This vessel sailed on the 10th November, 1741, from Martinique, bound to the coast of Spain, in an interloping trade ; he was attacked and taken (although at a time of profound peace between France and England,) by a privateer of Rhode Island, who made use of all kinds of violence to oblige him to declare that his vessel belonged to the Spaniards, with whom England was then at war. He was carried with his vessel to Charlestown, where he entered a process against the privateer, and after eight months proceedings, restitution was ordered to him.

But as the cargo of his vessel had been stolen, and no damage, interest or expense was adjudged, he went to Martinique to implore the assistance of the chiefs of the colony, who gave him letters to the Governor of Rhode Island, where he went in pursuit of the owners of the privateer which took him. After a long discussion, the Council awarded him the expense and damage which he demanded, which he offers to prove by the papers in his possession.

Under these circumstances, war being declared between France and England, the owner could not put the judgment in execution ; and since that time has been deprived of his whole interest employed in his voyage.

Your Excellency will see, from what I have written, that the Sieur Maginel ought actually to obtain payment in Rhode Island, for so lawful a debt ; and for that purpose, I entreat it in the name of my court, willing that all satisfaction be given to the aforesaid owner.

I am, &c., &c.,

GUERCHY.

The Governor of Rhode Island to Capt. Charles Antrobus.

Newport, 11th June, 1765.

Sir:—Last Friday, I sent the high sheriff of this county on board His Majesty's ship Maidstone, with a letter directed to you, or in your absence, to the commanding officer, requiring the dismissal of several inhabitants of this colony, lately impressed and detained on board said ship, contrary to law. In return to which, he acquainted me that it was not in his power to comply with my order; but that he hourly expected your return, and was very confident you would give me sufficient satisfaction upon that head.

But the men being still detained, and the great uneasiness occasioned thereby continuing, I must repeat my demand that all the inhabitants of this colony who have been forcibly taken and detained on board His Majesty's ship, under your command, be forthwith dismissed.

Lieut. Baines enclosed me an account of the illegal proceedings of some persons in this town in taking and burning a boat belonging to His Majesty's ship Maidstone, and abusing Mr. Jenkins, the second lieutenant.

This affair hath given me the greatest uneasiness, and I do assure you, that upon proper application, I shall use my utmost endeavors to prevent any such violent and scandalous measures from taking place for the future, and to bring all those who have lately behaved in that illegal manner, to condign punishment.

And further, I do assure you, that whenever any of the officers or men belonging to His Majesty's ship Maidstone, may be on shore, they may depend upon my protection, they behaving themselves peaceably, and conforming to the laws of the colony.

I am, sir, &c., &c.,

SAM. WARD.

To Charles Antrobus, Esq.

The Governor of Rhode Island to the Lords Commissioners of Trade and Plantations.

Newport, 28th June, 1765.

My Lords:—On the 21st of this instant, I had the honor of His Majesty's royal mandate in Council, dated 19th day of March last, relative to the behaviour of some of the inhabitants of this colony, to Lieut. Hill, and requiring the Governor and Company of this colony to return to His Majesty in Council, an exact and punctual account of the whole proceeding, &c.

In obedience to which, I shall collect, as soon as possible, the best account of that matter; but as I was not in the administration last year, and was out of town when the affair happened, it will require more time for me to acquaint myself with, and prepare a statement of the case properly authenticated, than if I had been present at the time of the transaction.

The General Assembly of this colony, My Lords, will meet for the despatch of business on the second Monday in September next, at which time I shall lay a statement of this matter before both houses; and shall embrace the earliest opportunity, with their approbation, to transmit the same to His Majesty, in Council.

I have the honor to be, &c., &c.,

S. WARD.

To the Right Honorable the Lords of Trade and Plantations.

James Murray to the Governor of Rhode Island.

Quebec, 29th June, 1765.

Sir:—I make no doubt but Your Excellency must have heard, some time since, of the melancholy accident that happened by fire, on the 18th day of May last, to the poor people of Montreal, in this government. On the news reaching this place, the governor and council assembled, to consider what was most proper to be done for the immediate relief of the unhappy sufferers; and thereupon, it was resolved, that two members of the council should go to Montreal, as commissioners, to inquire into the event of this dreadful calamity; and to apply thereto such assistance as to them should seem fitting; and also to procure every necessary information, in order to make a true report of the real loss sustained by the inhabitants, which the head of every family has respectively attested upon oath; amounting in the whole, to £116,778 18s. 6d., current money, of this province; or £87,580 8s. 10½d., sterling, copy whereof accompanies this, under the broad seal of the province, and my signature thereto.

It would be needless, sir, to say any thing, on this occasion, to induce Your Excellency and your Council to exert your influence and good offices in so laudable a work as that of prevailing with the affluent in your province, to contribute their mite to the relief of the miserable sufferers; who, having lost almost all they were worth before, by the ravages of war and the non-payment of their paper money, nothing remained to complete their wretchedness but this unhappy accident.

I cannot omit, on this occasion, applauding in the strongest manner the behaviour of His Majesty's new subjects in this province; a seasonable relief at this time must rivet their affections to the British government, and silence those among them who would insinuate that the professors of our religion do not possess the Christian virtues to an eminent degree.

I have the honor to be, sir, &c., &c.,

JA. MURRAY.

To His Excellency the Governor of Rhode Island.

Secretary Conway to the Governor and Company of Rhode Island.

St. James, July 12, 1765.

Gentlemen:—The King having been graciously pleased, upon the resignation of the Earl of Halifax, to deliver to me the seals for the southern department, I take the first opportunity of notifying the same to you; and am to acquaint you, by His Majesty's command, that your despatches are to be henceforward directed to me, which I shall punctually lay before the King; and shall not fail, from time to time, to transmit to you such orders as I may have the honor to receive from His Majesty, upon them.

I am, with great truth and regard,

Your obedient servant.

H. S. CONWAY.

To the Governor and Company of Rhode Island.

The Governor of Rhode Island to Capt. Charles Antrobus.

Newport, 12th July, 1765.

Sir :—Your favor of last month, now before me, acknowledges the receipt of two of my letters, delivered you by Mr. Baines; one, directed to him, in your absence, and the other to you.

You are pleased to say the letter addressed to Mr. Baines, is polite and civil, but that the style of the other you are a stranger to, &c.

In answer to which, I must observe sir, that if proper regard had been paid to the letter I sent to Mr. Baines, there would have been no occasion of addressing you in a different manner. But the men whose discharge I requested, were detained several weeks; many others, in the mean time, impressed; the very fishing boats which daily supplied the town, were fired at, and interrupted so much in their fishing, that some of them dared not to go out of the harbor; and the town, if these measures had been continued, would very soon have greatly suffered; nay, to such an extravagant height of imprudence and insolence had your people arrived, as to enter on board a wood-boat (upon the King's birth day; the very day upon which you affect to lay so great a stress,) having only two men in her, and to take one of them out, and even to follow the vessel to the wharf. This encouraged the populace, and was the immediate occasion of the riot, which ended in burning the Maidstone boat.

These things gave a general uneasiness to the inhabitants, who not only saw the great disadvantages they must suffer in their trade and commerce, but were also apprehensive that the supplies which come to the town, by water (without which, they cannot subsist,) would be so much obstructed, as greatly to enhance the price of the necessaries of life. And upon my return from the country, my house was filled with people, who came to enter their complaints; and as the office I have the honor to sustain, makes it my indispensable duty to promote the welfare of His Majesty's subjects under my government, I was sensibly affected with their distresses, and immediately applied to you upon the subject, in a manner which appears to me the most proper and legal.

And here, sir, I must observe, that the impressing of Englishmen, is, in my opinion, an arbitrary action, contrary to law, inconsistent with liberty, and to be justified only by very urgent necessity.

But as the ship under your command lay moored in the harbor of an English colony, always ready to afford you all assistance necessary for His Majesty's service, I could not conceive any possible reason sufficient to justify the severe and rigorous impress carried on by your people in this port.

You assert that while your ship is afloat, the civil authority of this colony does not extend to, and cannot operate within her.

But I must be of opinion, sir, that while she lies in the body of a county, as she then did, and still does, within the body of the county of Newport, all her officers and men are within the jurisdiction of this colony, and ought to conform themselves to the laws thereof; and while I have the honor to be in the administration, I shall endeavor to assert and maintain the liberties and privileges of His Majesty's subjects; and the honor, dignity and jurisdiction of the colony.

These, sir, are my sentiments upon this subject, and occasioned my addressing

you in the manner I did. But as the men whose discharge I was anxious for, have been dismissed, and no further complaints have been made me, on that head, I am content to drop the dispute, and hope that for the future, there may be no occasion of renewing it.

My sentiments with regard to burning the boat belonging to the Maidstone, you are so well acquainted with, that I have only to add upon that head, that when Mr. Jenkins, with some of the men, waited on me, with your last letter, on that subject, I directed the sheriff to attend them to the chief justice of the county, who has taken cognizance of the affair, that justice may be duly administered. But in justice to this town, I must observe, that by the best information I can get, no person of the least note was concerned in the riot; the persons who committed the crime, consisting altogether of the dregs of the people, and a number of boys and negroes.

The polite manner in which you mention the civil authority in several parts of your letter, and your readiness to attend to any measures for the welfare of the King's subjects, consistent with your duty, pointed out to you by the governors of the colonies, I am obliged to you for; and in return, do assure you, that I shall ever be fond of showing you, and all the King's officers, in the colony, all proper respect and regard; and should it, at any time, be in my power to render you or them any acceptable service, or pleasure, I shall embrace the opportunity of doing it with the greatest satisfaction.

I am with great regard, sir, &c., &c.,

SAMUEL WARD.

To Charles Antrobus, Esq.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the second Monday in September, 1765.

The Hon. Samuel Ward, Governor.

Hon. Elisha Brown, Deputy Governor.

Whereas, Henry Harris, Esq. and Colonel William Brown, presented unto this Assembly the following report and account, to wit :

Report of the Committee appointed to run the Providence and North Providence Boundary Line.

We, the subscribers, being appointed by the Honorable the General Assembly, at the June session, A. D. 1765, to run the

line between the towns of Providence and North Providence, did, pursuant thereto, on the 1st day of July, A. D. 1765, meet at the north-west corner of a lot of land, called the Town's Land, at the east end of a place called Forestack Meadow; and from thence, we ran a line east, nearly twenty-two degrees north, to the middle of the bridge called the Mill Bridge, and erected several monuments in said line; and from the middle of said Mill Bridge, we ran a due east line to Seaconck River, so called, erecting monuments, and marking trees in said line.

Witness our hands,

HENRY HARRIS,
WILLIAM BROWN.

It is voted and resolved, that James Angell, Esq., Mr. Silas Downer and Mr. Oliver Arnold (of North Providence), be, and they are hereby, appointed a committee, to revise the laws of this colony, as soon as may be, and lay the same before this Assembly; and that the secretary be, and he is hereby, directed to supply the said committee with every thing in his office necessary for performing the said business.

Whereas, Mr. John Lewis, Jr., preferred a petition, and represented unto this Assembly, that in the year 1762, he had an Indian or mulatto servant boy, about sixteen years old, who enlisted into the government's service, and continued therein until the fall of the year 1763, and was then dismissed; that he is informed that the said servant set out for home, and came twenty-five miles on this side Albany, and there was taken by an officer and carried back to the Mohawk River, by virtue of an indenture a Dutchman there had of the boy, for three years; that he cannot discover how the Dutchman procured the indenture; but imagines that some of the officers sold him; and thereupon, the said John Lewis prayed this Assembly to give him a letter to Capt. Douw, at Albany, requesting him to assist the petitioner in getting his said servant, or a suitable recompense for him; on consideration whereof,—

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write to Mr. Volikert Douw, and

desire him to give his best assistance to the petitioner, for the recovery of his aforesaid servant.

Whereas, the speaker of the lower house of this Assembly, hath received a letter from the speaker of the house of representatives of the Province of the Massachusetts Bay, informing him that the said house of representatives have unanimously agreed to propose a meeting, as soon as may be, of committees from the houses of representatives or burgesses of the several British colonies, on this continent, to consult together on the present circumstances of the colonies; and the difficulties to which they are, and must be, reduced by the operation of the act of Parliament for levying duties and taxes on the colonies, and to consider of a general and united, dutiful, loyal and humble representation of their condition to His Majesty and the Parliament, and to implore relief;—

It is therefore voted and resolved, that this Assembly will comply with the said proposal; and that commissioners be appointed by this Assembly, to meet commissioners of the other governments, for the purpose aforesaid, at New York, on the first Tuesday in October, next.

It is voted and resolved, that Othniel Gorton, Daniel Jenckes and George Hazard, Esqs., and the secretary, be, and they, or the major part of them, are hereby appointed a committee, to prepare instructions for the commissioners who shall be appointed by this Assembly, to meet commissioners of the other governments, to consult together upon the present circumstances of the colonies and provinces of the King's dominions, in North America, &c.; and that they lay the same before this Assembly, as soon as may be.

It is voted and resolved, that Metcalfe Bowler, Esq., Mr. Benjamin Greene and Mr. William Richardson, be, and they, or the major part of them, are hereby, appointed a committee, to inquire into the circumstances of the ship *Claude Marie*, mentioned in the letter from the Earl of Halifax, to this colony; and that they make a report to this Assembly, at the next session.

It is voted and resolved, that the following be the in-

structions to the commissioners who shall be appointed by this Assembly, to meet commissioners of the other governments at New York :

Instructions to the Rhode Island Commissioners.

Gentlemen :—This Assembly, taking into consideration the late act of the Parliament of Great Britain, for levying stamp duties upon the colonies in North America, and extending the jurisdiction of the courts of admiralty, are humbly of opinion that the said act is oppressive and injurious, and deprives us of some of our most essential rights and liberties, which we have enjoyed ever since the first settlement of the colony ; which have been confirmed by a royal charter, and have never been forfeited nor contested, but have ever been recognized by the King and Parliament of Great Britain.

The house of representatives of the Province of the Massachusetts Bay, have proposed a meeting of committees, appointed by the several British colonies on this continent, at New York, on the first Tuesday in October next, to consult together upon the present circumstances of the colonies, and the difficulties to which they are, and must be, reduced, by the operation of the said act of Parliament ; and to consider of a general and united, dutiful, loyal and humble representation to His Majesty and the Parliament, and to implore relief.

This Assembly, willing to exert themselves to the utmost, for the preservation of their inestimable rights and liberties ; and having the pleasure to be informed that the inhabitants of the other colonies are actuated by the same principles ; that some of them have, and others are about appointing commissioners for the aforesaid purpose ; have, and do hereby, appoint you to be commissioners in behalf of this colony, to meet those that are, or shall be, appointed by the other colonies at the proposed congress ; and do give you the following instructions and directions to be observed by you, in discharging your trust, viz. :

You are directed to repair to New York in such season as to be ready to proceed upon business, with the other commissioners, on the first Tuesday in October next.

You are also directed, and fully empowered and authorized, to unite with the other commissioners, or the major part of them, in preparing such an humble, dutiful, and loyal representation and address, as is above mentioned ; and to sign the same, in behalf of this colony ; and also to join with the other commissioners in taking the proper measures for laying the said representation and address before His Majesty and the Parliament, at the first opening of the session.

This Assembly have hearts filled with the sincerest affection and loyalty to His Majesty ; and have the highest sense of their subordination to that august assembly, the British Parliament ; nevertheless, they would assert their rights and privileges with becoming freedom and spirit ; and therefore you are directed to use your endeavors that the said representation and address express these sentiments in the strongest manner.

You are further directed to assure the other commissioners, that this General Assembly will give their agent, in London, all necessary orders and power, to enable him to co-operate with the agents of the other colonies, in every necessary measure for procuring relief in these important affairs.

The general decay of trade and commerce, which is so severely felt in all the plantations upon this continent, induces us further to direct you, that if a majority of the other commissioners shall think it prudent to make any representation to His Majesty, and the Parliament, upon that subject, you join with them in an humble, dutiful address, to procure the restrictions and burdens laid upon commerce to be alleviated.

And further, if any other measures shall be proposed and agreed upon, by the majority of the commissioners, who shall meet upon this occasion, for obtaining relief, you are hereby empowered to join and unite with them in such measures, if they shall appear to you reasonable and probable to answer the desired end.

To you, gentlemen, this Assembly have committed concerns of the last consequence to themselves, to their constituents, and to posterity; and we hope that the just sense you entertain of the importance of the trust we have placed in you, will induce you to exert all your capacities to discharge it in such manner as to do honor to yourselves, and service to the colony.

Both houses being resolved into a grand committee, chose Metcalfe Bowler and Henry Ward, Esqs., commissioners to go to New York.

Whereas, sundry riots have lately been committed in the town of Newport,—

It is therefore voted and resolved, that His Honor the Governor be, and he is hereby, requested and empowered to issue a proclamation for apprehending the rioters; and commanding all persons to apprehend and bring them to justice; and to prevent any such riots for the future.

It is voted and resolved, that James Olney, Nicholas Tillinghast and John Sayles, Jr., Esqs., be, and they are hereby, appointed a committee to settle the accounts, and divide the poor of the towns of Providence and North Providence, agreeably to the true intent and meaning of the late act of Assembly, for dividing the said town of Providence.

This Assembly, taking into the most serious consideration, an act passed by the Parliament of Great Britain, at their last session, for levying stamp duties, and other internal duties, in North America, do resolve,—

1. That the first adventurers, settlers of this, His Majesty's colony and dominion of Rhode Island and Providence Plantations, brought with them and transmitted to their posterity, and all other His Majesty's subjects since inhabiting in this, His Majesty's colony, all the privileges and immunities that

have at any time been held, enjoyed and possessed by the people of Great Britain.

2. That by a charter granted by King Charles the Second, in the fifteenth year of his reign, the colony, aforesaid, is declared and entitled to all the privileges and immunities of natural born subjects, to all intents and purposes, as if they had been abiding and born within the realm of England.

3. That His Majesty's liege people of this colony have enjoyed the right of being governed by their own Assembly, in the article of taxes and internal police; and that the same hath never been forfeited, or any other way yielded up; but hath been constantly recognized by the King and people of Britain.

4. That, therefore, the General Assembly of this colony have, in their representative capacity, the only exclusive right to lay taxes and imposts upon the inhabitants of this colony; and that every attempt to vest such power in any person or persons, whatever, other than the General Assembly, aforesaid, is unconstitutional, and hath a manifest tendency to destroy the liberties of the people of this colony.

5. That His Majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance designed to impose any internal taxation whatsoever upon them, other than the laws or ordinances of the General Assembly, aforesaid.

6. That all the officers in this colony, appointed by the authority thereof, be, and they are hereby, directed to proceed in the execution of their respective offices in the same manner as usual; and that this Assembly will indemnify and save harmless all the said officers, on account of their conduct, agreeably to this resolution.*

God save the King.

* Resolutions similar to these, were passed by other colonies. The first four, with slight changes, were passed by Virginia; having been introduced into the House of Burgesses, of that colony, by Patrick Henry. The fourth resolution originally read, "That therefore, His Majesty, or his substitute, together with the General Assembly of this colony, have, in their representative capacity, the only exclusive

The Collector, &c., of the Customs, in Newport, to the Governor and Company of Rhode Island.

Cygnets, Newport harbor, 30th August, 1765.

Gentlemen :—As subjects of His Majesty, and residents of this colony, we are entitled to the protection of government, for the safety of our persons and property; and our stations, as servants of the crown particularly, requires your support in the execution of our offices.

What has happened yesterday and the night before, and the threats denounced in that time, and to this moment, to our persons and property, particularly the collector, of which we can give you satisfactory proof, if the notoriety of the thing is insufficient, has determined us to shut up His Majesty's custom house, till the government affords us such protection and support, as will enable us to attend to our duties with safety; the collector having been obliged, since Wednesday last, to shelter himself on board this ship, from the persecution of the populace; and the design of this letter is to acquaint you with this circumstance, and that we cannot open the custom house till you, gentlemen, will afford us such your assistance; and we desire to know what protection and support you will give us.

We must beg leave to observe, that for the honor of the crown, and the advantage of the trade of the colony, (as, till we are sensible we are secure, we cannot proceed to business,) we have reason to expect the utmost exertion of duty on the part of the government of the colony.

We are, with great respect, &c., &c.,

JOHN ROBINSON, Collector.

JNO. NICOLL, Comptroller.

NICH'S LECHMERE, Searcher.

To the Governor and Company of Rhode Island.

Gideon Wanton, Jr., to John Robinson, Collector, &c.

[Newport], August 31, 1765. A. M.

Gentlemen :—In the absence of the Governor, the letter you directed to the Governor and Company of this colony, was delivered to me.

In answer, I would inform you, that the fury of the populace hath entirely subsided, and the minds of the people quieted; so that there is not the least danger or apprehension of any further riotous proceedings. This, gentlemen, is my sincere opinion, and what you may rely entirely upon; and therefore, as principal magistrate known in town, I desire you, gentlemen, to proceed to the execution of your several offices, and do promise and assure you all the protection in my power, for the safety of your persons and interest.

I shall only just add, that the putting an entire stop to the trade and commerce of

right to lay taxes and imposts," etc.. The words "*His Majesty or his substitute*," were stricken out by the Assembly of Rhode Island, who were unwilling to acknowledge the right of the King to impose taxes on the colony. The fifth resolution, as it appears above, was rejected by Virginia.

this colony, will be attended with most pernicious consequences ; and as there is no judicious, cool person, who imagines there is the least reason to apprehend any further disorder, I will leave it to you, gentlemen, to judge how far you yourselves will be excusable for keeping His Majesty's custom house shut any longer.

I am, with great regard, gentlemen, &c., &c.,

GIDEON WANTON, JR

To John Robinson, Esq., collector, and others.

The Governor of Rhode Island to John Robinson, and others.

[Newport], 31st August, 1765. P. M.

Gentlemen :—Upon my return, this afternoon, your letter of yesterday, was delivered to me, and a copy of Mr. Wanton's answer. Since which, I have inquired into the state of the town, and can give you the most absolute assurance that every thing is perfectly tranquil, and that you may immediately return to town with all the safety imaginable, to your persons and estates.

To Mr. Wanton's letter, I shall add, that the assurances there given, with respect to the protection you have a right to demand from the authority of the colony, may be entirely relied upon.

After this, gentlemen, I have no doubt but the duty you owe His Majesty, and the regard you have for his subjects, will induce you to proceed upon the business of your several offices ; and I again repeat, that you may depend upon all due and legal protection.

I am, with due regard, &c., &c.,

SAM'L WARD.

To Messrs. John Robinson, John Nichol and Nich. Lechmere.

John Robinson, and others, to the Governor of Rhode Island.

On board the Cygnet, Newport harbor,
1st September, 1765.

Sir :—We are to acknowledge the receipt of Mr. Gideon Wanton, Jr.'s letter, and also your own, of yesterday's date, in answer to ours of the day before, directed to the government ; both assuring us that the town is perfectly quiet, that we may immediately return to town with all possible safety to our persons and estates, and that we may rely on the protection of the authority.

While one Samuel Crandall, a principal fellow amongst the mob, dares, to this moment, to threaten the collector ; and also, on his, and their behalf, prescribe the terms on which he may come on shore, we cannot consider the riot quelled, or that we may attend to the execution of our offices, either with safety to our persons and property, or to the King's revenue ; and especially, when the authority, on Tuesday, Wednesday and Thursday, either made no attempt, or failed, to quell the same.

We are now to acquaint you, that the infamous terms presumptuously proposed by Crandall, are, that we must receive our fees as settled by an act of the Assembly of the colony, in defiance of an act passed the last session of Parliament ; and deliver up the prize sloop, molasses and scows, now under the protection of the

Cygnets, waiting the determination of the prosecution against them, at Halifax, before Dr. Spry; or else, that the collector must not set his foot on shore.

We are far, sir, from calling in question the sincerity of the government's professions for affording us protection; yet, after what is before related, we are of opinion, that we cannot attend to the exercise of our respective functions, whatever inconveniency it may be to the trade, until you have appointed a proper guard to protect the custom house, and support us in the execution of our duty.

We have directed the advocate general, to lay before you proper proof of the foregoing facts charged against Crandall, and we have reason to expect that government will exert itself to the utmost, to get him, and his adherents, if discovered, severely punished.

You will please to observe, that by the 13 J., 14 chapter, 2d ch., 11 §6, which is extended to the plantations by 7 J., 8 Wm. 3d ch. 8 §8, J. ch. 22 §6, any officer of the customs, who is forcibly hindered, affronted, abused, beaten or wounded in the due execution of his office, the offender is to be committed to prison till the next quarter sessions, when he is to be punished by a fine, not exceeding £100, sterling, and to remain in prison till he is discharged of the fine and imprisonment by His Majesty's court of exchequer, or that he discovers the person that set him on work.

And we make no doubt, that you will contribute your assistance to take up and prosecute the offender; and we hope, that by nine o'clock, to-morrow morning, you will appoint us such a guard, when the business of the office will be duly carried on; otherwise, the government must be accountable for the difficulties the trade must continue to labor under.

We are, with great regard, sir, &c., &c.,

JOHN ROBINSON,

JNO. NICOLL,

NICH'S LECHMERE.

To His Excellency Samuel Ward.

The Governor of Rhode Island to John Robinson, and others.

Newport, 1st September, 1765.

Gentlemen:—I am very sorry to find, by your letter of this instant, that, notwithstanding the assurances yesterday given you by Mr. Wanton and myself in behalf of the government, of all due and legal protection, you are still of opinion that it is unsafe for you to resume the execution of your several offices.

I had written thus far, when the person you mention, as a principal among the mob, and *seem most apprehensive of*, Samuel Crandal, hearing complaint had been made to me, against him, waited on me, of his own accord.

Upon examining him, he assures me, that he has not the least intention of raising any disturbance or riot, or of doing any kind of injury. The other gentlemen being daily on shore, as I am informed, must be satisfied they are in no danger. He says Mr. Robinson has personally used him ill, and he shall insist upon proper satisfaction; but has not even a thought of taking any illegal or riotous method for obtaining it.

And as to the fees of the collector's office, or the seizures made, he declares he has no pretension or design of interesting himself in the least in such matters, they are wholly beyond his sphere, and cognizable before the civil authority.

I have made strict inquiry into the state of the town, and cannot find that you

are likely to suffer the least insult or injury from any riotous assembly; the expense and trouble of a guard, must therefore be entirely unnecessary.

The trade of the town suffers so much by the custom house being shut, that I must again urge you immediately to return and enter upon the discharge of your several offices, in the due execution of which, you may rely upon all proper protection and support from the government.

I am, &c., &c.,

SAM'L WARD.

To John Robinson, John Nicoll and Nich's Lechmere, officers of His Majesty's customs, on board His Majesty's ship Cygnet.

Capt. Charles Leslie to the Governor of Rhode Island.

Sir:—As I find you are arrived in town, I think it necessary to acquaint you there have been several reports brought to me of the mob having frequently threatened the taking forcibly away the sloop which is now under the protection of the Cygnet; and I have great reason to believe the truth of such a report, from a demand having been made of the same, by one Crandall, who, I am informed, is a principal person in the mob, as part of the conditions of the collector's coming on shore and remaining in safety; and that their plan is to be this:

To man and arm a number of boats or vessels, and possess themselves of the fort; and in case they find a resistance on my part, when such boats or vessels are endeavoring to take away the said sloop (which will certainly be the case, when we discover any such attempt being made,) that then the guns at the fort are to be fired at His Majesty's ship under my command.

This, I own, appears very surprising; but from the repetition of the report, and what happened last year to His Majesty's schooner St. John, I must own I think the madness of the mob may carry them to such lengths, without the interposition of the government's authority.

Should their frenzy bring them to such a height, I am determined to return it immediately from His Majesty's ship, without sending to the fort to know any reason or ask any question. The Governor will reflect what consequences may arise not only from the damage the town may receive from the shot which may pass over the fort into it; but what may hereafter happen on such an enormous thing being committed in a British colony. Thus far, sir, I think is the duty I owe to His Majesty's service, to make you acquainted with.

I am, sir, &c., &c.,

CHARLES LESLIE

Dated on board the Cygnet, Rhode Island harbor, Sunday, Sep'r 1st, 1765.

To Samuel Ward, Esq.

The Governor of Rhode Island to Capt. Leslie.

Newport, 2d September, 1765.

Sir:—I am now to acknowledge the receipt of your letter of yesterday; though I must confess I am much at a loss what answer to make to it.

The reports carried on board the Cygnet are so idle, and the plan said to be formed for obtaining the sloop so chimerical, that nothing but the regard due to

you, induces me to take the least notice of them ; and you may depend upon it, sir, that there is not the least foundation for them.

Should any persons be so weak or wicked, as to attempt the taking His Majesty's fort into their possession, I shall take proper measures to prevent it, and to bring the offenders to justice ; and the duty I owe my sovereign, will induce me, at all times, to use my utmost endeavors to prevent any differences from arising between the inhabitants of this colony, and any officers or men of His Majesty's ships, under your command on this station.

I am, sir, &c., &c.

S. WARD.

To Charles Leslie, Esq.

Capt. Leslie to the Governor of Rhode Island.

Sir :—I have yours, acknowledging the receipt of my letter, in which you declare yourself at a loss what answer to make to me ; and that the reports carried on board the Cygnet, are so idle, and the plan "said to be formed for obtaining the sloop so chimerical, that nothing but the regard you please to express for me, would induce you to take any notice of it ;" and assuring me, "that there is not the least foundation for the whole," and that you "will take all proper measures in respect to any attempts on the fort."

In answer to all which, I must acquaint you, that idle as you may look on these reports to be, they are well founded, and were frequently repeated by some of the principal people in the town, to me ; and whenever it becomes necessary, it can be proved, notwithstanding the contempt and disbelief with which your answer treats my letter ; for I cannot look on it in any other light ; and as to whether you had taken any notice of it or not, it would have given me no pain. I thought it incumbent on me, to make you acquainted with such circumstances which induced me to do it.

I am, sir, &c., &c.,

CHA. LESLIE.

Cygnet, Rhode Island harbor, Monday, Sept. 2d, 1765.

To Samuel Ward, Esq.

W. Mellish to the Governor of Rhode Island.

Treasury Chambers, Whitehall,

14th September, 1765.

Sir :—The lords commissioners of His Majesty's treasury having received from the commissioners of the customs an extract of a letter from the collector and comptroller of Rhode Island, I am directed by their lordships to transmit the enclosed copy of the said extract to you, for your information ; and at the same time to acquaint you, that it is their lordship's express desire that you do immediately make the most strict and diligent inquiry into the matter complained of in said letter, and inform them with all convenient despatch, the state of the facts therein mentioned, that their lordships may be thoroughly acquainted with the circumstances of this affair, and be enabled to take such measures as may prevent the like proceedings in future.

I am, sir, &c., &c.,

W. MELLISH.

To His Excellency the Governor of Rhode Island.

Extract of a letter from the Collector and Comptroller of the Customs, Rhode Island, dated June, 1765. John Robinson, collector ; John Nicoll, comptroller.

"In our letter of 9th April, we acquainted Your Honor that the brigantine Wain-scott, and sloop Nelly, (mentioned in our letter of 1st March, to have been seized at Providence,) had been acquitted for want of proof; though it was notorious that they had run cargoes of molasses.

We think ourselves indispensably obliged to represent to Your Honor the conduct of Mr. Andrews, the judge, and Mr. Honyman, the advocate, of the court of admiralty, upon this occasion. Being sensible of the difficulty of procuring evidence, from the want of government to countenance our proceedings, and the general combination of the people against us, we directed the advocate to draw up proper interrogatories, and to obtain a proper order, for examining of witnesses upon such interrogatories (previous to the trial), agreeably to the practice at Boston, as it would be to no purpose to rely on any witnesses appearing on the trial, which he promised he would do. But instead of paying any regard thereto, we were about a fortnight after informed that the cause was to be tried in three days after, at Providence, about thirty-five miles off; being that that place was more convenient to the owners of the vessels than here, at the capital, though inconvenient to us to the last degree.

We therefore desired the advocate to get the cause adjourned for at least a fortnight, as we could not, on so short a notice, procure evidence. The advocate attended there, and moved for an adjournment, accordingly, which the judge refused to grant; but by reason that the register and marshal of the court did not attend, the judge was under a necessity, on that account, to put off the trial for a week, and of which we had only two or three days' notice, which was still too short, to enable us to get witnesses.

However, we attempted to summons several witnesses, but they had absconded; so that what we meant to avoid, (by having the witnesses examined on interrogatories,) actually happened; for we could not produce one evidence on the trial; the advocate himself refused to attend the trial; and Mr. Nicoll, the comptroller, was obliged to leave his business, at the office, to attend at Providence, where the judge thought proper to hold his court, though manifestly to the prejudice of the King's service, by the difficulty and inconveniency we were put to, in procuring witnesses, and in attending there.

These two gentlemen are natives of this place, and their connections with this people are such, that it influences them to a disregard of the King's service, which they have, upon difficult occasions, shown, by favoring the merchants, to the prejudice of the crown."

[The matter of the complaint, referred to, appears to have remained unsettled, or not investigated, for two years. It was referred to a committee of the General Assembly, who made the following report on it, in October, 1767. The report is added here, together with a letter from the collector.]

Report.

We, the subscribers, being appointed a committee, at the last General Assembly, to examine the complaint made by the collector and comptroller, in this colony, to the commissioners of the customs, in Great Britain, against the judge of the court of vice admiralty, and the King's advocate, in this colony, do report :

That this day we met, according to an appointment, and after duly notifying the collector and comptroller, (who could not attend,) made due inquiries into the premises, and are of opinion that there is not the slightest ground or foundation for such complaint.

All which, is submitted by—

JOSEPH HAZARD,
ROBERT HULL,
JOSEPH CLARKE.

Newport, October 23, 1767.

John Robinson, to the committee appointed by the General Assembly of Rhode Island, relative to a complaint made by the collector and comptroller of the customs, &c.

Custom House, Rhode Island,
23d October, 1767. 1 o'clock.

Gentlemen :—Your notification to attend you, at the hour of two o'clock this afternoon, has been this instant served upon me ; and this is the first information that I have had of your appointment, as a committee, instead of the gentlemen formerly entrusted to inquire into the conduct of the judge, and advocate of the admiralty.

If you mean that I should attend an oral inquiry, and enter into a verbal discussion of the affair, I must beg leave to decline attending you ; but if them gentlemen are to exhibit their defence in writing, I shall, (having proper time allowed me,) very readily peruse it, and reply in to it also in writing, so as to illustrate and ascertain any matter that you shall think necessary.

When I tell you, gentlemen, that Mr. Andrews, instead of standing by the test of inquiry, prescribed by His Majesty's ministers, has not only prosecuted and recovered against the comptroller and myself, at law, for the representation we made to the commissioners of the customs, in the discharge of our duty ; but has, also, with a view (as every person must reasonably suppose,) of stifling this inquiry, lately commenced an action against myself for writing a letter to Governor Ward, in justification of our complaint.

I am sure, gentlemen, you will think this caution both necessary and proper. If a just and impartial report in this affair is transmitted home, it will give me great satisfaction ; and especially, as the inquiry has so long lain dormant, notwithstanding our repeated solicitation to the late Governor, and the former committee, to have the same carried on to effect. But it is my expectation that you will previously summon Elisha Brown, of Providence, and Joseph G. Wanton, of Newport, Esqs., and examine them, on oath, touching the conduct of the judge and advocate, respecting the brigantine Wainscott.

I am, gentlemen, &c., &c.,

JOHN ROBINSON.

To Joseph Hazard, and others.

Charles Lowndes to the Governor of Rhode Island, relative to the Stamp Act.

Treasury Chambers, Whitehall, September 14, 1765.

Sir:—I am directed by the lords commissioners of His Majesty's treasury, to signify to Your Excellency their desire that you give your aid and assistance to the distributor of stamps within your government, in whatever may relate to his duty in the execution of his office, under the act passed in the last session of Parliament; and that Your Excellency would be particular in seeing that the chief distributor do appoint under distributors in every proper town and place within your government; and that each of the said under-distributors be well supplied with stamps for all demands; and that Your Excellency would be very attentive to the detection of any frauds which may arise in this branch of His Majesty's revenues; and in case it shall have happened, that any chief distributor, residing in your government, hath not given security for the due execution of his office, that Your Excellency will take care that he do forthwith execute his bond for the same, which bond, when executed, Your Excellency is desired to return to the stamp office.

My Lords so much depend upon your attention to the public service, that they cannot doubt of receiving information from Your Excellency, in case any remissness in the execution of the office of the chief distributor within your government, or other mismanagements or abuses whatsoever, shall appear to you.

I am, &c., &c.,

CHA. LOWNDES.

To Stephen Hopkins, Esq., Governor of Rhode Island.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday in October, 1765.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

It is voted and resolved, that the committee who were appointed to revise the laws of this colony, in doing the same, collect all the laws now in force, which have been made on one subject, and reduce them into one law, carefully keeping the sense and meaning of such laws, and entering notes in the margin when they were made.

Whereas, it is a custom in many towns in this colony, for evil minded persons to set up signs for houses of public entertainment, and selling of strong liquors, without taking any license from the town council, where they live; which practice not only defrauds the town of their just due for license money, and injures the honest tavern-keeper who takes one, but is attended with this bad consequence, that such people, as they are under no restriction by bond, agreeably to law, keep disorderly houses, and suffer gaming, hard drinking, and many other indecent and irregular practices, to be carried on in them; for remedy whereof,—

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that if any person or persons, whatever, in this colony, shall, after thirty days from the rising of this Assembly, presume to erect, and keep up any sign before erected, for the keeping a public house, without first obtaining a license from the town council where he lives, shall forfeit for the first offence, to the town where he dwells, the sum of £10, lawful money, to be recovered by the town council, to and for the use of said town, by due course of law; and for every offence afterwards, the sum of £20, lawful money, to be recovered in like manner, and for the same use; provided, nevertheless, that all ferry houses be, and they are hereby, excepted out of this act.

Whereas, Metcalfe Bowler, and Henry Ward, Esqs., presented unto this Assembly, the following report, to wit:

Report of the Rhode Island Commissioners to the Congress at New York.

To the Honorable the General Assembly, of the colony of Rhode Island and Providence Plantations, to be held at South Kingstown, on the last Wednesday in October, 1765:

We, the subscribers, in pursuance of the instructions given us by the Honorable Assembly, proceeded to New York, and arrived there on Saturday, the 28th of September last.

On Monday, the 7th of October, commissioners from the colonies of the Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the government of the counties of Newcastle, Kent and

Sussex, upon Delaware, Maryland and South Carolina, being present, and no others expected, the congress entered upon the business for which they were appointed.

After the maturest deliberation, the congress drew up several declarations of their opinion, respecting the rights and liberties of the colonists, and agreed upon a loyal and dutiful address to His Majesty, and humble applications to both houses of Parliament, to procure the repeal of the stamp act, and of all clauses of any other acts of Parliament, whereby the jurisdiction of the admiralty is extended beyond its ancient limits in the colonies, and of the other late acts for the restriction of American commerce.

Copies of two sets of these addresses were made, and signed by commissioners from six of the colonies (those from Connecticut, New York and South Carolina, not being empowered to sign), and ordered to be sent immediately to Great Britain, by two vessels, which were expected to sail from New York this week. The congress rose on Friday last. We herewith present a copy of the proceedings.

METCALFE BOWLER,

Newport, October 30th, 1765.

HENRY WARD.

And the foregoing report being duly considered,—

It is voted and resolved, that the same be, and hereby is, accepted; that it be lodged with the copy of the proceedings of the commissioners, in the secretary's office; and that no copies of the addresses, or either of them, be given out before this Assembly is informed of their being presented to His Majesty, and both houses of Parliament.

It is voted and resolved, that the cordial thanks of this colony be transmitted to Col. Isaac Barré, for his generous and patriotic endeavors, in a late session of Parliament, for the interest of the colonies; that the continuance of his favorable regard and endeavors for their relief, from their present grievances, be requested; and that His Honor the Governor, transmit the same by the agent of this colony, in Great Britain.*

* [Colonel Isaac Barré, was born in Dublin, in 1726, and died July 1, 1802. His father was a French refugee, driven from his native land by the revocation of the edict of Nantes. Isaac Barré was educated at Dublin University, and afterwards studied law in London; but disliking the profession, he entered the army, and was sent to Canada. He served with Gen. Wolfe, at the siege of Quebec, where he was wounded, and witnessed the death of that officer. In West's celebrated painting of this event, Barré holds a conspicuous place. His promotion was rapid in Canada. In 1761, by the influence of the Earl of Shelburne, he was elected member of Parliament; and soon after, made himself conspicuous, by a personal attack upon the Earl of Chatham. This bold attack, raised Barré to a prominent position among the supporters of the ministry. In 1763, on the disbanding of his regiment, he was

It is voted and resolved, that His Honor the Governor be, and he is hereby requested and empowered to write to the agent for this colony, and to send him copies of the three addresses which were agreed upon, and drawn up by the commissioners of the several governments, at New York ; that he direct the agent to join with the other agents, in enforcing the said addresses ; and to employ suitable counsel for that purpose ; and to exert himself in the best manner possible, in said affair, for the advantage of the government ; and that His Honor the Governor lay a copy of his letter before this Assembly, at the next session.

appointed adjutant general to the forces, and soon after, governor of Stirling Castle, with a salary of £4,000, a year. But his opposition to the government, in Parliament, soon lost him his place. In 1765, Mr. Grenville introduced the stamp act, which was immediately opposed by Barré, in a speech which deserves a place in the memory of every American ; the justice of the cause he advocated, roused him to a display of eloquence which astonished all who heard him.

Townshend, one of the ministers, in advocating the act, spoke of the colonists as " children planted by our care, nourished by our indulgence, and protected by our arms." Barré's indignant retort produced a great sensation in the House. " They planted by our care ? No ; your oppressors planted them in America." " They nourished by your indulgence ? They grew up by your neglect of them." " They protected by your arms ? Those sons of liberty have nobly taken up arms in your defence. I claim to know more of America than most of you, having been conversant in that country. The people, I believe to be as truly loyal subjects as the King has, but a people jealous of their liberties, and who will vindicate them, should they ever be violated. But the subject is too delicate ; I will say no more."

The letters of Junius, the first of which appeared in January, 1769, were ascribed to Barré, owing to certain coincidences between him and the writer, and the agreement in their political opinions. In 1771, the ministry endeavored to suppress the practice of repeating the debates in Parliament, a measure which was strenuously opposed by Barré, who, after the strongest denunciation of their course, left the House, calling on every honest man to follow him. Barré continued the warm friend of the American colonies during the administration of Lord North.

On the dissolution of this ministry, he became paymaster of the forces under the administration of the Earl of Shelburne. In 1783, he retired on a pension of £3,000, a year, but continued in Parliament until 1790, when the loss of sight, occasioned by a wound received at Quebec, required him to retire altogether from public affairs. He remained totally blind until his death. He was a man of great moral and physical courage, a profound and acute politician, and a thorough soldier.]—J. R. B.

An Act for assessing upon the inhabitants of this colony, a rate or tax of £12,468 15s., lawful money, to be levied, collected and brought into the general treasury, on or before the 10th day of March next.

Protest.

We, whose names are underwritten, dissent, because that at a session of the General Assembly of this colony, held in September, A. D. 1761, a general estimate of ratable estates, within this colony, had been before taken, and was then committed to be examined by a committee of said Assembly, and after such examination to be received as a general law for taxing this colony, until some other rule for taxing the colony should be agreed upon in Assembly; that at another session of Assembly, held in February, A. D. 1762, the committee, aforesaid, made report of their doings thereupon; and with their report presented a plan for future taxation of estates, both real and personal, within this colony, and declared, that such their plan was agreeable to the general estimate, taken as aforesaid; and that the report, aforesaid, was at the same session of Assembly voted and received as a general law for taxing the colony in all future times.

Wherefore, we conclude, that as the aforesaid mode of taxation is at present in force, and has the weight of a general law of this colony, unrepealed, the present plan for taxing, being contrary thereto, neither can, nor ought to take place.

2. For that the committee, appointed by this present Assembly, to proportion the tax now in hand, had before them no rule for regulating their doings, but the plan settled as aforementioned, and yet have manifestly departed from the same: so that the alterations by them made, must of consequence, be altogether arbitrary, unequal and oppressive to particular towns, and not founded on any real knowledge of the circumstances of the people taxed.

THOMAS STEERE,
DANIEL MOWRY, JR.,
BENJAMIN SLACK,
BENJAMIN TOWER,
ABIAL BROWN,
ABRAHAM CHACE,
WILLIAM FIELD,
THOMAS BAKER,

JAMES MASON,
JOSHUA BICKNALL,
DANIEL JENCKES,
MOSES BROWN,
JOHN COLE,
SAMUEL NIGHTINGALE,
JOB RANDALL.

It is voted and resolved, that the last Thursday in this instant November, be observed throughout this colony, as a day of public thanksgiving to Almighty God, for the many favors and mercies received the year past; and that prayers be put up for a blessing on the endeavors of this colony for preserving their invaluable privileges; and that His Honor the Governor be, and he is hereby requested to issue a proclamation, accordingly.

God save the King.

Public Acts passed during the year 1765.

[The following laws will be found at length in the printed "Schedules," or acts and resolves of the General Assembly, for the year 1765.]

An Act in amendment of an act passed in February, 1765, making the sheriffs in this colony liable to be sued at special courts. (May.)

An Act for the maintenance and support of insolvent debtors in jail, and for repealing previous acts made for that purpose. (June.)

An Act establishing and regulating fees. (June.)

An additional Act enabling town councils to receive and reject any persons from being inhabitants of the same. (September.)

An Act for assessing a tax upon the inhabitants of this colony, of £12,468 15s., lawful money. (October.)

The Resolves of the Convention of the English Colonies at New York, October 19, 1765.

The congress, upon mature deliberation, agreed to the following declarations of the rights and grievances of the colonists in America :

The members of this congress, sincerely devoted, with the warmest sentiments of affection and duty, to His Majesty's person and government, inviolably attached to the present happy establishment of the Protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British colonies on this continent ; having considered as maturely as time will permit, the circumstances of the said colonies, esteem it our indispensable duty to make the following declarations of our humble opinion respecting the most essential rights and liberties of the colonists, and of the grievances under which they labor, by reason of the several late acts of Parliament.

1. That His Majesty's subjects, in these colonies, owe the same allegiance to the crown of Great Britain, that is owing from his subjects born within the realm ; and all due subordination to that august body, the Parliament of Great Britain.

2. That His Majesty's liege subjects, in these colonies, are entitled to all the inherent rights and liberties of his natural born subjects within the kingdom of Great Britain.

3. That it is inseparably essential to the freedom of a people, and the undoubted right of Englishmen, that no taxes be imposed on them but with their own consent, given personally, or by their representatives.

4. That the people of these colonies are not, and from their local circumstances, cannot be represented in the House of Commons, in Great Britain.

5. That the only representatives of the people of these colonies, are persons chosen therein by themselves ; and that no taxes ever have been, or can be constitutionally imposed on them, but by their respective legislatures.

6. That all supplies to the crown, being the free gifts of the people, it is unreasonable and inconsistent with the principles and spirit of the British constitution, for the people of Great Britain to grant to His Majesty, the property of the colonists.

7. That trial by jury is the inherent and invaluable right of every British subject in these colonies.

8. That the late act of Parliament, entitled "An act for granting and applying certain stamp duties, and other duties in the British colonies and plantations, in America," &c., by imposing taxes on the inhabitants of these colonies, and the said act, and several other acts, by extending the jurisdiction of the courts of admiralty beyond its ancient limits, have a manifest tendency to subvert the rights and liberties of the colonists.

9. That the duties imposed by several late acts of Parliament, from the peculiar circumstances of these colonies, will be extremely burthensome and grievous, and from the scarcity of specie, the payment of them absolutely impracticable.

10. That as the profits of the trade of these colonies ultimately centre in Great Britain, to pay for the manufactures which they are obliged to take from thence, they eventually contribute very largely to all supplies granted there to the crown.

11. That the restrictions imposed by several late acts of Parliament on the trade of these colonies, will render them unable to purchase the manufactures of Great Britain.

12. That the increase, prosperity and happiness of these colonies depend on the full and free enjoyments of their rights and liberties, and an intercourse with Great Britain, mutually affectionate and advantageous.

13. That it is the right of the British subjects in these colonies, to petition the King, or either house of Parliament.

Lastly. That it is the indispensable duty of these colonies, to the best of sovereigns, to the mother country, and to themselves, to endeavor by a loyal and dutiful address to His Majesty, and humble applications to both houses of Parliament, to procure the repeal of the act for granting and applying certain stamp duties, of all clauses of any other acts of Parliament, whereby the jurisdiction of the admiralty is extended, as aforesaid, and of the other late acts for the restriction of American commerce.

Address to the King, from the Convention at New York.

The petition of the freeholders and other inhabitants of the Massachusetts Bay, Rhode Island and Providence Plantations, New Jersey, Pennsylvania, the government of the counties of Newcastle, Kent and Sussex, upon Delaware, province of Maryland; most humbly sheweth:

That the inhabitants of these colonies, unanimously devoted with the warmest sentiments of duty and affection to Your Majesty's sacred person and government, inviolably attached to the present happy establishment of the Protestant succession in your illustrious house, and deeply sensible of your royal attention to their prosperity and happiness, humbly beg leave to approach the throne, by representing to Your Majesty, that these colonies were originally planted by subjects of the British crown, who, animated with the spirit of liberty, encouraged by Your Majesty's royal predecessors, and confiding in the public faith for the enjoyment of all the rights and liberties essential to freedom, emigrated from their native country to this continent, and by their successful perseverance in the midst of innumerable dangers and difficulties, together with a profusion of their blood and treasure, have

happily added these vast and valuable dominions to the empire of Great Britain; that for the enjoyment of these rights and liberties, several governments were early formed in the said colonies, with full power of legislation, agreeably to the principles of the English constitution.

That under those governments, these liberties, thus vested in their ancestors, and transmitted to their posterity, have been exercised and enjoyed, and by the inestimable blessings thereof, (under the favor of Almighty God), the inhospitable deserts of America have been converted into flourishing countries; science, humanity, and the knowledge of divine truths, diffused through remote regions of ignorance, infidelity, and barbarism; the number of British subjects wonderfully increased, and the wealth and power of Great Britain proportionably augmented.

That by means of these settlements, and the unparalleled success of Your Majesty's arms, a foundation is now laid for rendering the British empire the most extensive and powerful of any recorded in history. Our connection with this empire, we esteem our greatest happiness and security, and humbly conceive it may be now so established by your royal wisdom, as to endure to the latest period of time; this, with most humble submission to Your Majesty, we apprehend will be most effectually accomplished, by fixing the pillars thereof on liberty and justice, and securing the inherent rights and liberties of your subjects here, upon the principles of the English constitution. To this constitution, these two principles are essential, the right of your faithful subjects freely to grant to Your Majesty such aids as are required for the support of your government over them, and other public exigencies, and trials by their peers; by the one, they are secured from unreasonable impositions, and by the other, from arbitrary decisions of the executive power.

The continuation of these liberties to the inhabitants of America, we ardently implore, as absolutely necessary to unite the several parts of your wide extended dominions in that harmony so essential to the preservation and happiness of the whole. Protected in these liberties, the emoluments Great Britain receives from us, however great at present, are inconsiderable, compared with those she has the fairest prospect of acquiring. By this protection, she will for ever secure to herself the advantage of conveying to all Europe the merchandises which America furnishes, and of supplying, through the same channel, whatever is wanted from thence. Here opens a boundless source of wealth and naval strength; yet these immense advantages, by the abridgment of those invaluable rights and liberties by which our growth has been nourished, are in danger of being for ever lost, and our subordinate legislatures in effect rendered useless, by the late acts of Parliament, imposing duties and taxes on these colonies, and extending the jurisdiction of the courts of admiralty here beyond its ancient limits; statutes by which Your Majesty's Commons in Great Britain undertake absolutely to dispose of the property of their fellow subjects in America, without their consent; and for the enforcing whereof, they are subjected to the determination of a single judge, in a court unrestrained by the wise rules of the common law, the birthright of Englishmen, and the safeguard of their persons and properties.

The invaluable rights of taxing ourselves, and trial by our peers, of which we implore Your Majesty's protection, are not, we most humbly conceive, unconstitutional, but confirmed by the great charter of English liberty. On the first of these rights, the Honorable the House of Commons found their practice of originating money bills, a right enjoyed by the kingdom of Ireland, by the clergy of England,

until relinquished by themselves; a right, in fine, which all other Your Majesty's English subjects, both within and without the realm, have hitherto enjoyed.

With hearts, therefore, impressed with the most indelible characters of gratitude to Your Majesty, and to the memory of the Kings of your illustrious house, whose reigns have been signally distinguished by their auspicious influence on the prosperity of the British dominions, and convinced by the most affecting proofs of Your Majesty's paternal love to all your people, however distant, and your unceasing and benevolent desires to promote their happiness, we most humbly beseech Your Majesty, that you will be graciously pleased to take into your royal consideration the distresses of your faithful subjects on this continent, and to lay the same before Your Majesty's Parliament, and to afford them such relief, as in your royal wisdom their unhappy circumstances shall be judged to require.

Memorial to the House of Lords, from the Convention at New York.

The memorial, &c., most humbly sheweth:

That His Majesty's liege subjects in his American colonies, though they acknowledge a due subordination to that august body, the British Parliament, are entitled, in the opinion of your memorialists, to all the inherent rights and liberties of the natives of Great Britain, and have, ever since the settlement of the said colonies, exercised those rights and liberties, as far as their local circumstances would permit.

That your memorialists humbly conceive one of the most essential rights of these colonies, which they have ever, till lately, uninterruptedly enjoyed, to be trial by jury.

That your memorialists also humbly conceive another of these essential rights to be, exemption from all taxes but such as are imposed on the people by the several legislatures in these colonies, which right, also, they have, till of late, freely enjoyed.

But your memorialists humbly beg leave to represent to Your Lordships, that the act for granting certain stamp duties in the British colonies in America, &c., fills His Majesty's American subjects with the deepest concern, as it tends to deprive them of the two fundamental and invaluable rights and liberties, above mentioned; and that several other late acts of Parliament, which extend the jurisdiction and powers of courts of admiralty in the plantations beyond their limits in Great Britain, thereby make an unnecessary and unhappy distinction as to the modes of trial between us and our fellow subjects there, by whom we never have been excelled in duty and loyalty to our sovereign.

That from the natural connection between Great Britain and America, the perpetual continuance of which, your memorialists most ardently desire, they conceive that nothing can conduce more to the interest of both, than the colonists' free enjoyment of their rights and liberties, and an affectionate intercourse between Great Britain and them. But your memorialists (not waiving their claim to these rights of which, with the most becoming veneration, and deference to the wisdom and justice of Your Lordships, they apprehend they cannot reasonably be deprived,) humbly represent, that from the peculiar circumstances of these colonies, the duties imposed by the aforesaid act, and several other late acts of Parliament, are extremely grievous and burthensome; and the payment of the said duties will

very soon, for want of specie, become absolutely impracticable; and that the restrictions on trade by the said acts, will not only greatly distress the colonies, but must be extremely detrimental to the trade and true interest of Great Britain.

Your memorialists, therefore, impressed with a just sense of the unfortunate circumstances of the colonies, and the impending destructive consequences which must necessarily ensue from the execution of those acts, animated with the warmest sentiments of filial affection for their mother country, most earnestly and humbly entreat that Your Lordships will be pleased to hear their counsel in support of this memorial, and take the premises into your most serious consideration; and that Your Lordships will also be thereupon pleased to pursue such measures for restoring the just rights and liberties of the colonies, and preserving them for ever inviolate, for redressing their present, and preventing future grievances; thereby promoting the united interest of Great Britain and America, as to Your Lordships, in your great wisdom, shall seem most conducive and effectual to that important end.

Petition to the House of Commons, from the Convention at N. York.

The petition of, &c., most humbly sheweth:

That the several late acts of Parliament, imposing divers duties and taxes on the colonies, and laying the trade and commerce thereof, under very burthensome restrictions, but above all, the act for granting and applying certain stamp duties, &c., in America, have filled them with the deepest concern, and surprise; and they humbly conceive the execution of them will be attended with consequences very injurious to the commercial interest of Great Britain and her colonies, and must terminate in the eventual ruin of the latter.

Your petitioners, therefore, most ardently implore the attention of the Honorable House, to the united and dutiful representation of their circumstances, and to their earnest supplications for relief from those regulations which have already involved this continent in anxiety, confusion and distress.

We most sincerely recognize our allegiance to the crown, and acknowledge all due subordination to the Parliament of Great Britain, and shall always retain the most grateful sense of their assistance and protection. It is from and under the English constitution we derive all our civil and religious rights and liberties; we glory in being the subjects of the best of Kings, and having been born under the most perfect form of government; but it is with most ineffable and humiliating sorrow that we find ourselves, of late, deprived of the right of granting our own property for His Majesty's service, to which our lives and fortunes are entirely devoted, and to which, on his royal requisitions, we have ever been ready to contribute to the utmost of our abilities.

We have also the misfortune to find that all the penalties and forfeitures mentioned in the stamp act, and in divers late acts of trade, extending to the plantations, are, at the election of the informer, recoverable in any court of admiralty in America. This, as the newly erected court of admiralty, has a general jurisdiction over all British America, renders His Majesty's subjects in these colonies liable to be carried, at an immense expense, from one end of the continent to the other.

It gives us, also, great pain to see a manifest distinction made therein, between the subjects of our mother country, and those in the colonies, in that the like penalties and forfeitures recoverable there only in His Majesty's court of record, are

made cognizable here by a court of admiralty. By these means, we seem to be, in effect, unhappily deprived of two privileges essential to freedom, and which all Englishmen have ever considered as their best birthrights, that of being free from all taxes but such as they have consented to in person, or by their representatives, and of trial by their peers.

Your petitioners further show, that the remote situation and other circumstances of the colonies, render it impracticable that they should be represented, but in their respective subordinate legislature; and they humbly conceive that the Parliament, adhering strictly to the principles of the constitution, have never hitherto taxed any but those who were actually therein represented; for this reason, we humbly apprehend, they never have taxed Ireland, or any other of the subjects without the realm.

But were it ever so clear that the colonies might in law be reasonably deemed to be represented in the Honorable House of Commons, yet we conceive that very good reasons, from inconvenience, from the principles of true policy, and from the spirit of the British constitution may be adduced to show that it would be for the real interest of Great Britain, as well as her colonies, that the late regulations should be rescinded, and the several acts of Parliament imposing duties and taxes on the colonies, and extending the jurisdiction of the courts of admiralty here beyond their ancient limits, should be repealed.

We shall not attempt a minute detail of all the reasons which the wisdom of the Honorable House may suggest on this occasion, but would humbly submit the following particulars.

That money is already become very scarce in these colonies, and is still decreasing, by the necessary exportation of specie from the continent, for the discharge of our debts to British merchants.

That an immensely heavy debt is yet due from the colonies for British manufactures, and that they are still heavily burthened with taxes to discharge the arrearages due for aids granted by them in the late war.

That the balance of trade will ever be much against the colonies, and in favor of Great Britain, whilst we consume her manufactures; the demand for which, must ever increase in proportion to the number of inhabitants settled here, with the means of purchasing them. We therefore humbly conceive it to be the interest of Great Britain to increase rather than diminish those means; as the profits of all the trade of the colonies ultimately centre there, to pay for her manufactures, as we are not allowed to purchase elsewhere; and by the consumption of which, at the advanced prices the British taxes oblige the makers and venders to set on them, we eventually contribute very largely to the revenue of the crown.

That from the nature of American business, the multiplicity of suits and papers used in matters of small value, in a country where freeholds are so minutely divided, and property so frequently transferred, a stamp duty must ever be very burthensome and unequal.

That it is extremely improbable that the Honorable House of Commons should at all times be thoroughly acquainted with our condition, and all facts requisite to a just and equal taxation of the colonies.

It is also humbly submitted, whether there be not a material distinction, in reason and sound policy, at least, between the necessary exercise of parliamentary jurisdiction in general acts for the amendment of the common law, and the regula-

tion of trade and commerce through the whole empire, and the exercise of that jurisdiction by imposing taxes on the colonies.

That the several subordinate provincial legislatures have been moulded into forms as nearly resembling that of their mother country, as by His Majesty's royal predecessors was thought convenient; and their legislatures seem to have been wisely and graciously established, that the subjects in the colonies might, under the due administration thereof, enjoy the happy fruits of the British government, which in their present circumstances they cannot be so fully and clearly availed of any other way. Under these forms of government, we and our ancestors have been born or settled, and have had our lives, liberties and properties protected. The people here, as every where else, retain a great fondness for their old customs and usages; and we trust that His Majesty's service, and the interest of the nation, so far from being obstructed, have been vastly promoted by the provincial legislatures.

That we esteem our connections with, and dependence on Great Britain, as one of our greatest blessings; and apprehend the latter will appear to be sufficiently secure, when it is considered that the inhabitants in the colonies have the most unbounded affection for His Majesty's person, family and government, as well as for the mother country; and that their subordination to the Parliament, is universally acknowledged.

We therefore most humbly entreat, that the Honorable House would be pleased to hear our counsel in support of this petition; and take our distressed and deplorable case into their serious consideration; and that the acts and clauses of acts, so grievously restraining our trade and commerce, imposing duties and taxes on our property, and extending the jurisdiction of the court of admiralty beyond its ancient limits, may be repealed; or that the Honorable House would otherwise relieve your petitioners, as in your great wisdom and goodness shall seem meet.

Secretary Conway to the Governor and Company of Rhode Island.

St. James's, October 24th, 1765.

Gentlemen :—It is with the greatest concern that His Majesty learns the disturbances which have arisen in some of the North American colonies. If this evil should spread to the government of Rhode Island, where you preside, the utmost exertion of your prudence will be necessary, so as justly to temper your conduct between that caution and coolness which the delicacy of such a situation may demand, on one hand, and the vigor necessary to suppress outrage and violence on the other.

It is impossible, at this distance, to assist you by any particular or positive instruction; because you will find yourself necessarily obliged to take your resolution, as particular circumstances and emergencies may require.

His Majesty, and the servants he honors with his confidence, cannot but lament the ill-advised intemperance shown already in some of the provinces, by taking up a conduct which can in no way contribute to the removal of any real grievance they might labor under, but may tend to obstruct and impede the exertion of His Majesty's benevolent attention to the ease and comfort, as well as the welfare of all his people.

It is hoped and expected, that this want of confidence in the justice and tenderness of the mother country, and this open resistance to its authority, can only have found place among the lower and more ignorant of the people; the better and wiser part of the colonists will know that decency and submission may prevail, not only to redress grievances, but to obtain grace and favor; while the outrage of a public violence can expect nothing but severity and chastisement.

These sentiments, you, and all His Majesty's servants, from a sense of your duty to, and love of your country, will endeavor to excite and encourage. You will all, in a particular manner call upon them not to render their case desperate; you will, in the strongest colors, represent to them the dreadful consequences that must inevitably attend the forcible and violent resistance to acts of the British Parliament, and the scene of misery and calamity to themselves, and of mutual weakness and distraction to both countries, inseparable from such a conduct.

If, by lenient and persuasive methods, you can contribute to restore that peace and tranquility to the provinces, on which their welfare and happiness depend, you will do a most acceptable and essential service to your country; but having taken every step, which the utmost prudence and lenity can dictate in compassion to the folly and ignorance of some misguided people, you will not, on the other hand, fail to use your utmost power for the repelling all acts of outrage and violence, and to provide for the maintenance of peace and good order in the province, by such a timely exertion of force, as the occasion may require. For which purpose, you will make the proper applications to General Gage, or Lord Colvill, commanders of His Majesty's land and naval forces in America. For however unwillingly His Majesty may consent to the exertion of such power as may endanger the safety of a single subject; yet, he cannot permit his own dignity, and the authority of the British legislature, to be trampled on by force and violence, and in avowed contempt of all order, duty and decorum.

If the subject is aggrieved, he knows in what manner legally and constitutionally to apply for relief; but it is not suitable either to the safety or dignity of the British empire, that any individuals, under the pretence of redressing grievances, should presume to violate the public peace.

I am, with great truth and regard,

Your most obedient, humble servant,

H. S. CONWAY.

To the Governor and Company of Rhode Island.

The Governor of Rhode Island to Secretary Conway.

Newport, 6th November, 1765.

Sir:—I have now the honor to acknowledge the receipt of Your Excellency's letter of the 12th July last, advising that His Majesty has been graciously pleased, on the resignation of the Earl of Halifax, to deliver to you the seals for the southern department. Upon which, I beg leave to present my most sincere congratulations, and earnestly pray, that under God, and our most gracious sovereign, Your Excellency may have the honor, by a most wise and upright administration, of restoring tranquillity, unanimity and happiness to all His Majesty's subjects.

The inhabitants of this colony, sir, were once a happy people; they enjoyed

those rights and privileges which constitute the felicity, and have always been the boast of Englishmen; those rights and privileges founded (as they think,) upon the laws of nature, established by *Magna Charta*, and confirmed by a royal charter, and by divers acts of Parliament they esteemed sacred and inviolable. These gave them security of life, liberty and property. Hence they grew and flourished; their lands were daily improving; their commerce, which became extensive, procured a market for the produce, and increased the value of their lands, and filled the colony with inhabitants; and was, at the same time, vastly beneficial to Great Britain. For it is undoubtedly true, that the whole profits of it centered there, in return for the large quantities of British manufactures consumed here. The taxes were moderate, and the smiles of their mother country completed their happiness.

But the scene is unhappily reversed, sir. The merchants sustained very great losses in the late war; and the channels of that little commerce which they have left, are so obstructed by regulations since made, that it is continually declining; the demand for the produce of the country, employ for laborers and other kinds of business, are proportionably decreased; the annual taxes assessed for payment of the immense debt contracted by the colony's unlimited ardor for His Majesty's service, during the war, are almost insupportable. The lands within this colony, have also sunk nearly or quite one half in their value; the merchants are greatly indebted to Great Britain for her manufactures (without which, the people cannot live); and at the same time that they are thus deeply distressed, new duties are required of them, the payment of which, in the happiest times of the colony, would have been attended with the greatest difficulties. But in its present impoverished and distressed situation, is absolutely impracticable; money being already so scarce, that there is not, by the best estimate which I am able to procure, enough in the colony, to pay those duties two years; and they have the mortification also, to find themselves most unhappily distinguished from their fellow subjects in Great Britain.

These still enjoy (and God grant they ever may) the invaluable privileges of trials by their peers, and of an exemption from all duties and taxes, which they have not personally or by their representatives consented to; while the property of Americans is subjected to the decision of a single judge of the admiralty, not under the direction of the wise rules of the common law, and under the vast disadvantages of a trial several hundred miles distant from the usual residence of the defendant; and duties and taxes are laid upon them without their knowledge or consent.

These are now the deplorable circumstances of the inhabitants of this colony; and as I am sensible of His Majesty's paternal concern for all his subjects, I thought it my duty to represent them to Your Excellency. But as this colony, with some of the other governments, hath transmitted an address to the throne and both houses of Parliament, for the redress of their grievances, I shall not enlarge on the subject, but beg leave to recommend the interest of the colony to Your Excellency's patronage, and to the wisdom, justice and clemency of His Majesty, and the Parliament. And as the inhabitants of this colony are a most loyal and dutiful people, and have the greatest affection for their mother country, and esteem their dependence upon her as their greatest blessing, and are ever ready to sacrifice their lives and fortunes in defence of His Majesty's royal person, family and government; and as I am sincerely of opinion that the prosecution of the late measures, would be infinitely detrimental to Great Britain, I cannot but hope that the united addresses of the colonies will be graciously received and

granted. This, sir, will revive the depressed spirits of the people, and raise this sinking continent; and this, in my humble opinion, will establish the connections between Great Britain and the colonies upon the everlasting basis of mutual affection, harmony and interests.

I had the honor of His Majesty's commands of the 8th of July last, transmitted to me, by the Right Honorable the Earl of Halifax, directing the Governor and Company of this colony to make immediate inquiry into the circumstances of an affair in which the *Sieur Maginel*, of Dunkirk, was concerned, as alleged in a letter from His Excellency the French ambassador, a copy of which I received with My Lord Halifax's letter; in obedience to which, a committee was appointed by the government, to examine into that affair; who reported that they have carefully and diligently searched the records of the several courts of justice in this colony, and the register of the court of admiralty, and can find not the least account of the matters mentioned in His Excellency's letter. But I shall immediately order further inquiry to be made, and shall immediately transmit to Your Excellency an account of what I may discover of this matter; and upon application of the agents or representatives of the *Sieur Maginel*, shall give them every facility in my power for their obtaining that justice, which, upon inquiry, shall appear to be due to them.

I have the honor to be with great truth and regard, sir, &c., &c.

SAM. WARD.

To the Right Honorable Henry Seymour Conway.

The Governor of Rhode Island to Joseph Sherwood, agent for the Colony, in London.

Newport, 7th November, 1765.

Sir:—I have received your favor of the 16th July last, and a duplicate thereof, and shall accordingly expect your answer to my letter of the 17th May last, by the first opportunity.

The notice of the changes in the ministry, I am obliged to you for, and hope, with you, that they will prove beneficial to the distressed Americans, and the rest of His Majesty's subjects.

I have been lately informed that some of the bills drawn on you, by the general treasurer, have been returned protested, which gives me much uneasiness. The General Assembly designed to draw for no more money than was in your hands; but if a mistake happened to be made, I should think the regard which you and every gentleman who has the honor of being employed by the government, ought to have for the interest and reputation of the colony, should have induced you to honor the bills, and advise the government of it, who would immediately have remitted you the money, and been pleased with the regard paid them.

The General Assembly having resolved that the thanks of this colony be given to Col. Isaac Barré, for his generous and patriotic endeavors in Parliament for the interest of the colonies, and that the continuance of his favorable regard be requested; I have transmitted the same in my letter to that gentlemen, which I desire you to present in the most respectful manner as soon as may be.

Under cover with this, I have, at the request of the General Assembly, enclosed you a petition from this colony, in conjunction with some of the neighboring gov.

ernments, to the King, and memorial to both houses of Parliament; and am to direct you to join with the agents of the other governments in presenting and enforcing the same, and employing the best of counsel to support them; and in the conducting this affair, the General Assembly expect you will exert your utmost abilities and address for the interest of the colonies.

You will consider, sir that our all is at stake. If the stamp act and the other late acts of Parliament, restraining the trade of the colonies, should be repealed, and our ancient, natural and just rights and liberties be continued to us, we shall soon be a flourishing people, happy ourselves, and beneficial to our mother country; but if the late regulations are continued and enforced, we shall be entirely undone. We must then be a set of poor miserable wretches, and can be of no manner of consequence to our mother country, unless a colony of beggars can be of service to her.

The complaints of this colony on their present grievances, do not arise from any unwillingness to contribute to the interest of Great Britain, or the least desire of throwing off or lessening, in any manner, our dependence upon her. We unanimously esteem our relation to our mother country as our greatest happiness, and are ever ready, and at the hazard of our lives and fortunes, to do every thing in our power for her interest, and all we desire in return, is the quiet enjoyment of the common rights and privileges of Englishmen, which we imagine we have a natural and just title to; and from His Majesty's paternal affection for all his subjects, and the generous and patriotic regard for liberty and justice, which is the noble characteristic of a British Parliament, I cannot but promise myself that our petitions will be favorably received, and all our grievances redressed.

The general treasurer has orders to remit you, by the first opportunity, £200, sterling, for carrying on their petitions to the King and Parliament, and other necessary affairs of the colony, which I must recommend to you to dispose of to the government's best advantage.

We shall be very desirous to know as soon as possible, how the application made by the colonies to the King and Parliament is received, and in what light their interest is considered. You will be good enough, therefore, to embrace the earliest opportunity of giving me the most full and particular account of these matters, and every thing also, which concerns the interest of the colony.

I am, with due regard, sir, &c., &c.,

SAM. WARD.

To Joseph Sherwood, Esq,

The Governor of Rhode Island to the Lords of Trade and Plantations.

Newport, Rhode Island, 19th November, 1765.

My Lords:—I have the honor of Your Lordships' letter, acquainting the Governor and Company of this colony that His Majesty had been pleased to appoint Your Lordships his commissioners, for promoting the trade of the kingdom, and inspecting and improving His Majesty's colonies and plantations; upon which, I beg leave to present my most cordial congratulations. And as Your Lordships are pleased to desire me to transmit to you an exact and faithful account of all occurrences within the colony under my government, I heartily wish the present state

of this colony would admit an agreeable representation ; but every thing here, My Lords, wears a most gloomy aspect.

Before the late war, commerce, agriculture, and the various branches of business, depending on them, all flourished ; the whole government was in easy circumstances ; nothing was to be seen but the face of cheerfulness and content.

But this pleasing scene is wholly reversed ; the merchants sustained very heavy losses in the course of the late war ; and their surviving commerce is so checked by the regulations since made, that it is daily declining ; the government is vastly in debt, their ardor for His Majesty's service, in the prosecution of the war, having much exceeded their abilities ; and the taxes for payment of their debts, of course very high. The produce of the lands, and consequently the lands themselves, have greatly sunk in value ; and what specie there was in the government hath been since remitted home for British manufactures ; and the merchants are still much in debt ; and the distresses of the people are completed by several late acts of Parliament, which they conceive to deprive them of some of their most essential rights and liberties—the right of trials by their peers, and an immunity from all taxes which they have not personally or by their representatives consented to.

These, My Lords, are the sentiments, and this the present state of His Majesty's subjects in this colony ; and as I know them to be a most loyal and dutiful people, attached by every motive of duty, affection and inclination to their sovereign, and ready upon every occasion to promote the happiness of their mother country, I must beg leave to recommend their interests to Your Lordships' favorable regard and attention ; and cannot but flatter myself that Your Lordships will be of opinion, that the most effectual method to promote the trade of the kingdom, and improve His Majesty's colonies and plantations, will be a favorable regulation of their commerce, and the continuance of their ancient rights and privileges.

I have the honor to be, &c., &c.,

S. WARD.

To the Right Honorable the Lords of Trade and Plantations.

J. Robinson and J. Nicoll to Augustus Johnston.

Custom House, Rhode Island,

21st November, 1765.

Sir :—We are informed that you are appointed distributor of stamps for this colony ; and as we are apprehensive that the act of Parliament requires that certain stamps should be used in transacting the business of the custom house, we find ourselves obliged, for our own justification, to apply to you for the same, in the manner that our brother officers have done in other ports on the like occasion.

We are, sir, &c., &c.,

J. ROBINSON,

J. NICOLL.

To Augustus Johnston, Esq.

Augustus Johnston to J. Robinson and J. Nicoll.

Newport, 22d November, 1765.

Gentlemen :—I received yours of the 21st instant, and in answer thereto, inform you, that I, some time ago, received a letter from the secretary of the stamp office, in London, informing me of my being appointed, by the lords of the treasury, distributor of stamps for the colony of Rhode Island, which, although well known to the inhabitants of this colony, no application was ever made to me by any one person to resign said office; but in the evening of the 28th of August last, a large mob was raised in the town of Newport, on account of the stamp act, as was said; and I was reduced to the necessity of seeking for an assylum on board His Majesty's ship *Cygnet*, for the preservation of my life.

On my coming on shore the next day, I was obliged, for the security of my life and property, to sign a paper, purporting that I would not execute said office, without the consent of the inhabitants of the colony, which was the first time that I was desired to resign said office.

Some time after, I received a letter, advising me of the stamp papers being arrived in Boston, and consigned to me; which have since been brought here, and secured on board His Majesty's ship *Cygnet*; and as I am apprehensive that if any attempt should be made by me, to land the papers, or execute said office, without the consent of the inhabitants of the colony, that my life and property would be endangered, in the present situation of affairs for which reasons it is out of my power to comply with your requisition in supplying your office with stamp papers.

I am, gentlemen, &c., &c.,

AUGUSTUS JOHNSTON.

To Messrs. J. Robinson and J. Nicoll.

J. Robinson and Wm. Checkley to the Governor of Rhode Island.

Custom House, [Rhode Island],

22d November, 1765.

Sir :—We beg leave to lay before you, the above copies of the letters we exchanged with Mr. Johnston, on the subject of our duty in respect to the stamp act; and we next think it incumbent on us (particularly for our own justification,) to apply to Your Honor, in order to know whether any stamped papers are to be had within your government, so that we may conform to the direction of the act of Parliament; and further, we shall be obliged to you, for your advice, as to the measures that will be most conducive for the King's service, at this critical conjuncture in our department.

We are, sir, &c., &c.,

JOHN ROBINSON, Collector.

WM. CHECKLEY, Deputy Comptroller.

To Hon. Samuel Ward, Esq.

The Governor of Rhode Island to Augustus Johnston.

Newport, December 24th, 1765.

Sir :—When you was yesterday before the Council, you was acquainted that it was their unanimous opinion that the interest of the colony required a speedy answer should be written to the letter which I had received from the treasury, upon the subject of the distribution of stamps in this colony, and that a ship would sail this day ; upon which you was desired to give an immediate and explicit answer to the question, whether you would accept the office of distributor of stamps in this colony, or not ; whereupon, you desired until this morning to give your answer, and then you gave only an evasive one, and still desired till the afternoon, at which time you promised an explicit one ; instead of which, your reply is quite indefinite, and concludes with asking my advice.

What motives you may have, for conducting yourself in this manner, I am not to say ; but you must remember that several of the gentlemen present gave you their advice upon the subject ; to which, I have only to add, that my advice is, that you give a most explicit and full answer to the question which I proposed to you “ Whether you will accept the office of distributor of stamps for this colony, or not ? ” and this I expect in the most express terms, that I may embrace this opportunity of writing home.

I am, sir, &c., &c.,

S. WARD.

To Augustus Johnston, Esq.

The Governor of Rhode Island to the Lords Commissioners of the Treasury.

Newport, on Rhode Island,

26th December, 1765.

My Lords :—On the 21st instant, I received a letter, dated 14th September last from Mr. Lowndes, signifying to me Your Lordships’ desire that I would give the distributor of the stamped papers in this colony my aid and assistance in whatever may relate to his duty in the execution of his office, &c.

In consequence of which, I am to acquaint Your Lordships that Augustus Johnston, Esq., who (as he informs me,) was appointed chief distributor in this colony, hath resigned that office, and that people of every rank and condition are so unanimous in their opinion that the operation of the act for levying stamp duties in America, would be inconsistent with their natural and just rights and privileges, injurious to His Majesty’s service and the interest of Great Britain, and incompatible with the very being of this colony, that no person, I imagine, will undertake to execute that office.

This may, at the first view, appear something singular to Your Lordships, but a representation of the state of this government (which my duty to the King and the inhabitants of this colony obliges me to give,) may perhaps account for their sentiments in a satisfactory manner.

I beg leave, therefore, to observe to Your Lordships, that in the late war the merchants sustained very heavy losses in their commerce, and that the little trade

which they have left, is so checked by the regulations since made, that it is still declining; and as commerce is the grand source of wealth and plenty, the loss of that has occasioned such an universal stagnation of business, that it is with the utmost difficulty the people can subsist; especially as they are at the same time obliged to pay very heavy taxes, which annually are, and for several years to come must be, assessed for payment of arrearages due from the colony, for the aids granted to His Majesty, for the prosecution of the late and former war; under these circumstances, the operation of the stamp act would be attended with swift and inevitable ruin to the government, which would render them entirely incapable of doing any material service to their sovereign or the nation.

But if their ancient rights and liberties are continued, and a favorable regulation of their commerce should take place, there is not the least doubt but they would soon emerge from their present distresses, and again be in a capacity of promoting upon any future requisition, His Majesty's service, with the same spirit which they have ever done. I must beg leave, therefore, to recommend the interests of this colony to Your Lordships, and request Your Lordships' good offices with the King and Parliament in their behalf; and I can with great truth assure Your Lordships that such is their attachment to His Majesty's royal person, family and government, and their regard for their mother country, that every measure which may be taken for restoring the prosperity of this colony, will equally tend, in my humble opinion, to promote His Majesty's service and the real interest of Great Britain.

Your Lordships will please to observe, that I have not entered into the arguments on the rights and liberties of the colonies. This I imagined unnecessary, as most of the governments have forwarded petitions to the King and Parliament, on that subject.

I have the honor to be, &c., &c.,

SAM'L WARD.

To the Right Honorable the Lords Commissioners of His Majesty's Treasury.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the the last Monday in February, 1766.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

It is voted and resolved, that George Hazard, Esq., Metcalfe Bowler, Esq. and Mr. Edward Thurston, Jr., be, and they are hereby, appointed a committee, to examine all the copies of letters, and all petitions, and remonstrances which have been sent home from this colony; and that they deliver such of of them as they shall think proper, to the secretary, to be registered.

Whereas, George Hazard, Esq., Metcalfe Bowler, Esq., and Mr. Edward Thurston, Jr., who were appointed a committee, to examine all the letters that have been received by this colony since the date of the packets for declaring the late war ; and to separate such letters as they should think proper, and deliver them to the secretary, to be recorded, presented unto this Assembly the following report, written under a copy of the votes of the Assembly, appointing them, to wit :

Report.

To the Honorable the General Assembly, to be holden at South Kingstown, within and for the colony of Rhode Island, on the last Monday in February instant :

Agreeably to the above votes, we have examined said letters, and delivered such of them to the secretary, as we judged proper to be recorded ; and are the Assembly's most humble servants,

GEORGE HAZARD,
METCALFE BOWLER,
EDWARD THURSTON, JR.

Newport, February 1, 1766.

Whereas, Metcalfe Bowler, Esq., and Mr. Benjamin Greene, presented unto this Assembly, the following report, to wit :

Report.

We, the subscribers, being appointed, with Mr. William Richardson, by the Honorable General Assembly, a committee to inquire into the circumstances of the ship Claude Marie, mentioned in the letter from the Right Honorable the Earl of Halifax, to this colony, do report :

That we have searched all the records, and do not find anything relative thereto.

METCALFE BOWLER,
BENJAMIN GREENE.

Whereas, James Angell, Esq., and Mr. Silas Downer, two of the committee appointed to revise the laws of this colony, pre-

sented a memorial unto this Assembly, desiring instructions, whether the several acts relating to the emitting and sinking of paper bills, shall be inserted in the new law book, &c. ; and this Assembly taking the same into consideration,—

Do vote and resolve, and it is hereby voted and resolved, that all public acts or laws, for the well governing of the people, and their affairs, be revised and corrected ; that all those laws respecting the public monies, such as emitting, sinking, or any way regulating thereof, being matters only concerning the public treasury, or revenue, or debts due thereon, or arising therefrom, due to the colony or its treasurer, or trustees, be omitted in the new law book ; as also all private acts that do no way concern the public administration of justice.

And it is further voted and resolved, that His Honor the Governor, or His Honor the Deputy Governor, whichsoever is possessed of the original charter of this colony, be, and hereby is, desired to let the aforesaid committee have recourse to the same, as occasion may require, to enable them to obtain an accurate copy thereof, to publish in the new law book.

Whereas, there is now lying before this Assembly, an extract of a letter sent by the collector and comptroller of the customs in this colony, to the commissioners of the customs in Great Britain, complaining against the judge of vice admiralty, and the King's advocate, in this colony, for misconduct in their office,—

It is therefore voted and resolved, that John Jepson, Esq., Mr. Benjamin Greene and Mr. Edward Thurston, Jr., be, and they, or the major part of them, are hereby, appointed a committee to examine into the said affair ; and that they make report to this Assembly, at the next session.

Whereas, the deputies of the town of Newport, in pursuance of a vote passed by the freemen of said town, in town meeting assembled, on the 7th day of January last, represented unto this Assembly, that the assessors appointed by the said town, for the present year, had assessed upon the inhabitants the said town's proportion of the present colony tax, and have delivered the rate bill to the general treasurer ; that it appearing

to the said town meeting, that the said tax was unequally proportioned upon the inhabitants, it was then voted, that the assessors for said town should make a new assessment of the said tax; and that the deputies of the said town should be requested to pray this Assembly to render the new rate bill, so ordered to be made valid, to all intents and purposes; and to direct the general treasurer to receive the same, and to deliver up the first mentioned rate bill to the assessors; on consideration whereof,—

It is voted and resolved, that the first above mentioned rate bill, be, and the same is hereby, made null and void; that the general treasurer be directed to deliver it to the assessors; and to receive the new assessment, so ordered to be made, as above, and that the same shall be valid, to all intents and purposes.

Whereas, an act made and passed by the General Assembly of this colony, at their session begun and held, by adjournment, at East Greenwich, on the last Monday of February, A. D. 1764, entitled “An act for the more speedy calling in, and sinking all the outstanding bills of credit, emitted by virtue of an act of the General Assembly of this colony, made and passed at their session, held by adjournment at Providence, on the 18th day of March, A. D. 1750, (which is called the ninth bank,) and were let out upon loan; and likewise for putting a final end to the name of old tenor throughout this colony,” is expired; and whereas, there is yet a considerable sum of said bills of credit outstanding,—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that the said act be revived; and that the same be lengthened, and continue in full force until all the said bills of credit, emitted in the year 1750, be brought into the grand committee's office.

It is voted and resolved, that the thanks of this Assembly be unanimously given unto Metcalfe Bowler and Henry Ward, Esqs., for their faithful and judicious discharge of their duty, as commissioners from this colony, at the late congress holden at New York.

It is voted and resolved, that Mr. Henry Marchant be, and he is hereby, appointed attorney for the colony, to join with Augustus Johnston, Esq., in carrying on the suit brought by the colony against Joseph Wanton, Esq., late collector of this colony, which is to be tried at the next superior court of judicature, to be holden at Newport, within and for the county of Newport.

God save the King.

The Governor of Rhode Island to Secretary Conway.

Newport, 21st February, 1766.

Sir:—I have the honor of His Majesty's instructions, transmitted by Your Excellency's letter of the 24th October last; and have the pleasure to acquaint Your Excellency, that the very measures which you have been pleased to recommend, have been pursued by this government, and attended with such success, that very few disturbances have happened in this colony, and no violations of private property, except some little injury done on the evening of the — of August last, by a number of persons unknown, to the houses and effects of Martin Howard, Jr., Esq., and Dr. Thomas Moffatt; upon which, with the advice of the General Assembly, I issued a proclamation for apprehending the offenders, and bringing them to justice, and for preserving the public peace for the future.

One of the most notorious of the rioters, was apprehended and confined in His Majesty's jail, in this town; and upon some attempts made by some of his accomplices to rescue him, I found myself under a necessity of appointing a military watch, and taking some other measures for preventing their designs; in which, I was so effectually supported by the civil and military establishments of this colony, and the gentlemen of the town, that no disorders have since been committed.

The goodness and tender concern of His Majesty and his ministers, for the ease and comfort, as well as welfare of all his people, are so conspicuous in Your Excellency's letter, that I doubt not but they will firmly establish an entire confidence in the justice and tenderness of our mother country, and induce all persons who think themselves aggrieved, patiently to expect relief from His Majesty's paternal affection for all his subjects, and the wisdom, justice and goodness of his Parliament and ministry.

In the mean time, Your Excellency may rely upon the utmost attention of this government to the public peace and tranquillity.

I have the honor to be, &c., &c.,

SAM. WARD.

To the Right Honorable Henry Seymour Conway, Esq.

Joseph Sherwood, Agent for the Colony, in London, to the Governor of Rhode Island.

London, 25th February, 1766.

Esteemed Friend :—The Houses of Lords and Commons have spent much time in consideration over the affairs of America ; and have had all the papers relating to the opposition to the stamp act there, and all other official papers here, touching that subject, read over before them ; and the petitions of the merchants of London, Leeds, Bristol, Glasgow and other places, trading to America, have been presented to the House, and the merchants of those places examined in support of the same.

At length, on the 21st instant, the grand debate came on in the House of Commons ; and after sitting all that night, and till three the next morning, upon the division there were for the repeal 275

Against the repeal 167

Majority 108

I received thy favor of 7th November, with other papers ; but as the captain is now packing up his letters, it is impossible for me to answer more particularly by this opportunity.

I am, with great regard, &c., &c.,

JOSEPH SHERWOOD.

To the Governor of Rhode Island.

Secretary Conway to the Governor and Company of Rhode Island.

St. James's, March 1, 1766.

Gentlemen :—I am very sorry not to be able, as yet, to give you any instructions for the rule of your conduct in the perplexed situation of things in the colonies ; but the Parliament, to whose wisdom His Majesty has been pleased to refer these affairs, not having come to any ultimate decision therein, I may not presume to give you any positive direction ; at the same time, it is, I think, my duty to inform you, that a bill is brought in, and has made some progress in the House of Commons, for the repeal of the stamp act ; and that other proceedings, relative to the mutual rights of Great Britain and her colonies, are also in consideration before Parliament.

As soon as any thing is ultimately determined by the legislature, you may depend upon the speediest information from me, and will not fail to receive there-with His Majesty's further instructions. In the mean time, the King relies upon your discretion, to take the properest measures that the circumstances of the times may require, for the good of the colony committed to your care.

I am, with great truth and regard,

Your most obedient, humble servant,

H. S. CONWAY.

To the Governor and Company of Rhode Island,

The Governor of Rhode Island to Capt. Antrobus.

Newport, 28th March, 1766.

Sir:—Having received your letter of the 3d instant, I am now to acquaint you, that I have the honor of His Majesty's royal instructions, (communicated to me by the Right Honorable Mr. Secretary Conway, in his letter of the 24th October last,) upon the subject of the disturbances which have arisen in some of the North American provinces, to which I shall constantly pay the greatest attention; and as I have found myself effectually supported by the civil and military establishments of this colony, whenever I had occasion for their services, I make no doubt but they will at all times do their duty in such a manner, as to enable me sufficiently to provide for and fully maintain the public peace and tranquillity.

The certificates respecting naval affairs, mentioning that no stamped papers are to be had, you seem to consider as an evasion of the act, as the stamps are on board your ship, &c.; but as the person appointed distributor of stamps in this colony, hath resigned that office, and no other person is, or can be, by any authority in this government, appointed to succeed him, I am of opinion that no stamped papers can legally be had; and that certificates to that purpose may be properly issued.

With regard to the burning one of the boats belonging to His Majesty's ship Maidstone, you may remember that when application was first made to me, on that occasion, a list of the supposed offenders was presented me, and my protection desired for the officers and men who might appear against them, which was readily granted; and that upon Mr. Jenkins's waiting on me with some of the men for that purpose, I directed the high sheriff to attend him to the chief justice of the county, who took cognizance of their complaint, and can, without doubt, give a satisfactory account of the proceedings had therein.

This affair has given me much uneasiness; but as the offenders were supposed to be known, and the King's courts in this colony are ever open for the due administration of justice, and your people were protected in making application to the proper authority, nothing further was thought necessary on the part of the government.

Of the other tumultuous proceedings mentioned in the close of your letter, I can recollect nothing at present, except your representation of Mr. Champlin's being surrounded by a mob, &c.; upon which, I must observe, that if that gentleman had been insulted and forcibly prevented from supplying the King's ship with provisions, and had made application to me, on that occasion, I should immediately have given him all necessary aid, protection and assistance; but as he never made any complaint to me, I concluded that he had received no injury, and that the behaviour of the persons concerned in that matter, proceeded wholly from the resentment which they conceived, on the inhabitants of this town's being impressed and detained on board the Maidstone, and not from any real design of distressing any of His Majesty's servants; and the uninterrupted manner in which the ship hath been since supplied, confirms me in the sentiments I then entertained of this matter.

I am, with all due regard, sir, &c., &c.,
To Charles Antrobus, Esq.

SAM. WARD.

Joseph Sherwood, Agent of the Colony, in London, to the Governor of Rhode Island.

London, 29th March, 1766.

Esteemed Friend :—Enclosed is a duplicate of my last ; since which, you have no doubt heard of the repeal being absolutely passed ; the Parliament also came into several resolutions respecting their right and power over America ; all which, we expect will be transmitted to the respective governments, from the board of trade.

Forasmuch, as the friends of America have taken great pains, and bestowed much time and interest, and application, for the benefit of the colonies, it is hoped that the repeal will be received by them with a proper sense of gratitude and thankfulness, and that they will avoid giving umbrage to the government here, by any further resolutions or debates respecting the power of Parliament.

As the government here recommends it to the respective Assemblies to make satisfactions to those persons who have suffered by riots on account of the stamp act, a cheerful compliance with that requisition will also be one means towards reuniting the affections of Great Britain and her colonies.

The Parliament have now under their consideration, the regulations which have been laid upon trade ; and seem disposed to take off all unnecessary and unreasonable restrictions. They are at present under an adjournment, on account of the holidays ; but that matter will be resumed so soon as they meet.

By the next conveyances, I hope to be able to send a positive answer in relation to the disbursements in 1756.

I am, with great regard, &c., &c.,

JOSEPH SHERWOOD.

To the Governor of Rhode Island.

Secretary Conway to the Governor and Company of Rhode Island

St. James's, [London], 31st March, 1766.

Sir :—Herewith, I have the pleasure of transmitting to you, copies of two acts of Parliament just passed. The first, for securing the just dependency of the colonies on the mother country ; the second, for the repeal of the act of the last session, granting certain stamp duties in America ; and I expect shortly, to send you a third, for the indemnity of such persons as have incurred the penalties imposed by the act just repealed, as such a bill is now depending, and has made a considerable progress in the House of Commons.

The moderation, the forbearance, the unexampled lenity and tenderness of Parliament towards the colonies, which are so signally displayed in those acts, cannot but dispose the province committed to your care, to that return of cheerful obedience to the laws and legislative authority of Great Britain, and to those sentiments of respectful gratitude to the mother country, which are the natural, and, I trust, will be the certain effects of so much grace and condescension, so remarkably manifested on the part of His Majesty, and of the Parliament ; and the future happiness and prosperity of the colonies will very much depend on the testimonies they shall now give of these dispositions.

For, as a dutiful and affectionate return to such peculiar proofs of indulgence and affection, may now, at this great crisis, be a means of fixing the mutual interests and inclinations of Great Britain and her colonies on the most firm and solid foundations; so it cannot but appear visible that the least coldness or unthankfulness, the least murmuring or dissatisfaction on any ground, whatever, of former heat, or too much prevailing prejudice, may fatally endanger that union, and give the most severe and affecting blow to the future interests of both countries.

You will think it scarce possible, I imagine, that the paternal care of His Majesty for his colonies, or the lenity or indulgence of the Parliament, should go further than I have already mentioned; yet, so full of true magnanimity are the sentiments of both, and so free from the smallest color of passion or prejudice, that they seem disposed not only to forgive, but to forget those most unjustifiable marks of an undutiful disposition, too frequent in the late transactions of the colonies; and which, for the honor of those colonies, it were to be wished had been more discountenanced and discouraged by those who had knowledge to conduct themselves otherwise.

A revision of the late American trade laws, is going to be the immediate object of Parliament; nor will the late transactions there, however provoking, prevent, I dare say, the full operation of that kind and indulgent disposition prevailing both in His Majesty and his Parliament, to give to the trade and interests of America every relief which the true state of their circumstances demands or admits.

Nothing will tend more effectually to every conciliating purpose; and there is nothing, therefore, I have it in command more earnestly to require of you, than that you should exert yourself in recommending it strongly to the Assembly, that full and ample compensation be made to those, who, from the madness of the people, have suffered for their deference to acts of the British legislature; and you will be particularly attentive, that such persons be effectually secured from any further insults; and that, as far as in you lies, you will take care, by your example and influence, that they may be treated with that respect to their persons, and that justice in regard to all their pretensions, which their merit and their sufferings undoubtedly claim.

The resolutions of the House of Commons, which, by His Majesty's commands, I transmit to you, to be laid before the Assembly, will show you the sense of that House on those points; and I am persuaded it will, as it most certainly ought, be the glory of that Assembly, to adopt and imitate those sentiments of the British Parliament, founded on the clearest principles of humanity and justice.

I must mention one circumstance, in particular, which ought to recommend those unhappy people, whom the outrage of the populace has driven from America, to the affection of all that country; which is, that unprovoked by the injuries they had suffered, to a forgetfulness of what they owed to truth and their country, they gave their testimonies with knowledge, and without passion or prejudice; and those testimonies had, I believe, great weight in persuading the repeal of the stamp act.

Your situation, which has made you a witness of the distraction of that country, will enable you to form the best judgment of the behaviour which your province ought to use upon this occasion, and of the arguments which you ought to employ to enforce the necessity of such a behaviour as is suitable to their present circumstances.

I am, etc.,

H. S. CONWAY.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1766.

The Hon. Samuel Ward, Governor.

Hon. Elisha Brown, Deputy Governor.

The following officers, declared elected, were duly engaged:

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

ASSISTANTS.

Mr. Nicholas Easton,

Mr. Gideon Wanton, Jr.,

Mr. Thomas Owen,

Mr. Stephen Rawson,

Mr. John Jepson,

Mr. Nathaniel Searle,

Mr. John Burton,

Mr. George Nichols,

Mr. Hezekiah Babcock,

Mr. Othniel Gorton.

DEPUTIES.

Newport.

Mr. Metcalf Bowler,

Mr. John Wanton,

Mr. George Hazard,

Mr. Benjamin Greene,

Capt. Samuel Carr,

Capt. William Read.

Providence.

Mr. Daniel Jenckes,

Mr. Moses Brown,

Mr. John Cole,

Mr. George Jackson.

Portsmouth.

Mr. David Anthony,

Mr. Rowse Potter,

Mr. Jonathan Freeborn.

Mr. Thomas Brownell,

Warwick.

Mr. James Rhodes,

Mr. Thomas Rice, Jr.,

Capt. Benjamin Gorton.

Westerly.

Maj. Edward Bliven,

Mr. Stephen Saunders.

DEPUTIES.

New Shoreham.

Mr. Ray Sands,
Capt. Edward Hull.

North Kingstown.

Col. Samuel Rose.

South Kingstown.

Mr. Sylvester Robinson,
Mr. Jeffery Watson, Jr.

East Greenwich.

Maj. Preserved Pierce,
Col. Henry Gardner.

Jamestown.

Mr. John Gardner,
Mr. George Franklin.

Smithfield.

Mr. Thomas Steere,
Mr. Daniel Mowrey, Jr.

Scituate.

Mr. Charles Harris,
Mr. William West.

Glocester.

Mr. Richard Steere,
Mr. John Smith, Jr.

Charlestown.

Capt. Robert Potter,
Mr. Gideon Hoxie.

West Greenwich.

Mr. Samuel Hopkins,
Mr. Pardon Tillinghast.

Coventry.

Mr. Caleb Greene,
Mr. John Rice.

Exeter.

Capt. John Reynolds,
Mr. John Chapman.

Middletown.

Mr. Joshua Barker,
Mr. John Holmes.

Bristol.

Mr. William Bradford,
Col. Nathaniel Pearce.

Tiverton.

Capt. Edward Gray,
Capt. William Cooke.

Little Compton.

Capt. Thomas Brownell,
Capt. George Simmons.

Warren.

Mr. Joshua Bicknal,
Mr. James Mason.

Cumberland.

Mr. Jeremiah Whipple,
Mr. Robert Aldrich.

Richmond.

Major Richard Bailey,
Capt. Simeon Clarke.

Cranston.

Col. John Andrew.

Hopkinton.

Major Joshua Clarke,
Mr. John Maxson.

Johnston.

Lieut. Col. Josiah Thornton,
Mr. Abraham Belknap.

North Providence.

Capt. Thomas Olney,
Maj. David Burr.

Hon. William Bradford, Esq., speaker ; Josias Lyndon, clerk

Mr. Henry Ward, secretary.

Mr. Oliver Arnold, attorney general.

Mr. Joseph Clarke, general treasurer.

Joseph Russell, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Joseph Wanton, son of Gideon. Providence county, Mr. William Wheaton. Kings county, Mr. Peter Phillips. Bristol county, Mr. Charles Church. Kent county, Mr. Charles Holden, Jr.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Benjamin Sherburne, Esq., colonel ; Jabez Champlin, Esq., lieutenant colonel ; Charles Spooner, Esq., major.

Providence county, John Waterman, Esq., Jr., colonel ; David Burr, Jr., lieutenant colonel ; Thomas Olney, Esq., major.

Kings county, John Crandall, Esq., colonel ; Nathaniel Mumford, Esq., lieutenant colonel ; James Babcock, Jr., Esq., major.

Bristol county, Nathaniel Carey, Esq., colonel ; Caleb Carr, Esq., lieutenant colonel ; Samuel Allen, Esq., major.

Kent county, John Wells, Esq., colonel ; Henry Gardner, Esq., lieutenant colonel ; John Johnson, Jr., Esq., major.

It is voted and resolved, that His Honor the Governor be, and he is hereby requested to make application to General Gage, for the money due to this colony for the billeting rolls in the year 1757 ; and to take the most proper measures for recovering the same.

Whereas, John Andrews, Esq., agent and attorney for sundry persons within this colony, who are entitled to wages from the time Oswego was taken, until their return home, &c.,

prayed this Assembly to appoint a committee to examine the claims and vouchers of the aforesaid persons ;—

It is therefore voted and resolved, that Joseph Lippitt, Dan'l Howland and John Waterman, Esqs., be, and they are hereby, appointed a committee to examine the same ; and that they make report to this Assembly at the next session.

God save the King.

Grey Cooper to Stephen Hopkins.

Treasury Chambers, [London],
May 5, 1766.

Sir :—It having appeared to the lords commissioners of His Majesty's treasury, that, by the resignation of several distributors of stamps, and by the late unhappy disorders and tumults in some of the colonies, in North America, and the West Indies, many parcels of stamped parchment and paper, have come into the hands and custody of the Governors, magistrates or other persons, within the said provinces and islands, respectively ; and the act of Parliament for laying duties on stamps in the plantations being now repealed, I am directed by their lordships to require Your Excellency to give such orders as may be found proper and necessary for returning and forwarding in the most safe and expeditious manner to the commissioners for managing His Majesty's stamp duties in Great Britain, all such parcels of stamped parchment and paper as may remain in your custody or power, or in the custody or power of any other person or persons within your Excellency's jurisdiction.

I am, sir, &c., &c.,

GREY COOPER.

To His Excellency Stephen Hopkins.

Joseph Sherwood, Agent for the Colony, in London, to the Governor of Rhode Island.

[London], 15th May, 1766.

Esteemed Friend :—Enclosed, is a duplicate of my last to the Governor and Company ; since which, the trade and navigation of America have been agitated in the House of Commons with great warmth and industry, by both parties ; and at length, the House, on the 9th instant, agreed with their committee on the following resolutions : by which, you will see that every grievance of which you complained, is now absolutely and totally removed—a joyful and happy event for the late disconsolate inhabitants of America. I trust they will make a wise and prudent use of the tender indulgencies shown them by their now affectionate mother.

“ Resolved, that the duties imposed by an act or acts of Parliament, upon molasses and syrups, of the growth, produce or manufacture of any foreign American colony or plantation, imported into any British colony or plantation in America, do cease and determine.

Resolved, that a duty of one penny, sterling money, per gallon, be laid upon all

molasses and syrups which shall be imported into such British colony or plantation.

Resolved, that it is the opinion of this committee, that the duties imposed upon sugars, in the British colonies, in America, by an act made in the twenty-fifth year of the reign of King Charles the Second, for encouragement of the Greenland and Eastland trades, and better securing the plantation trade, do cease and determine.

Resolved, that the duties imposed by the act made in the fourth year of His present Majesty's reign, upon coffee and pimento, of the growth and produce of any British colony or plantations, in America, which should be shipped to be carried out from thence, do cease and determine.

Resolved, that a duty of seven shillings, sterling money, per hundred weight, avoirdupois, be laid upon all such coffee which shall be imported into any such colony or plantation; except only, such coffee as shall, upon the landing thereof, be immediately deposited and secured in warehouses, in order to be re-exported under proper restrictions.

Resolved, that a duty of one-half penny, sterling money, per pound, avoirdupois, be laid upon all such pimento which shall be imported into any such colony or plantation; except only, such pimento as shall, upon the landing thereof, be immediately deposited and secured in warehouses, in order to be re-exported under proper restrictions.

Resolved, that no duties be paid upon such foreign sugars, coffee or indigo, as shall be imported into any British colony or plantation, on the continent of America, and upon landing thereof, be immediately deposited and secured in warehouses, in order to be re-exported, under proper restrictions.

Resolved, that foreign cotton, wool and indigo, be permitted to be imported by British ships, navigated according to law, into any British island in that part of America, commonly called the West Indies, free from the payment of any duty or imposition, whatsoever.

Resolved, that the produce of such of the said duties to be raised in the said colonies and plantations, be paid into the receipt of His Majesty's exchequer, and there reserved, to be from time to time disposed of by Parliament, towards defraying the necessary expenses of defending, protecting and securing the said colonies and plantations.

Resolved, that it will be for the advantage of the trade, navigation and manufactures of this kingdom, to establish one or more port or ports in His Majesty's dominions in America, for the more free importation and exportation of certain goods and merchandises, under proper regulations and restrictions."

And a bill was ordered in pursuance of said resolutions.

I sometime ago obtained a report from the paymaster and secretary at war, of which I enclose you a copy. It was with great difficulty I could obtain one so favorable. This report lies now at the treasury; and I apprehend that the lords would order the payment thereof immediately, had it not been for the outrages and violent riots committed in the government, upon the persons and effects of the two gentlemen now here, and some others.

You see by the resolutions of the House, that they are determined to espouse and encourage those who have suffered in that cause; and from what I can pick up (though it is not openly avowed), the treasury board seem disposed to delay the

payment of this money until they see what measures the Assembly adopt in consequence of the requisition of the House for the re-imbursement of these people.

I shall use my best endeavors to obtain a speedy payment; and am,

With great regard, &c., &c.,

JOSEPH SHERWOOD.

To the Governor of Rhode Island.

Secretary Richmond to the Governor and Company of Rhode Island.

Whitehall, May 23d, 1766.

Gentlemen:—The King having been pleased to appoint me secretary of state, for the southern department, and to deliver the seals of the northern to Mr. Secretary Conway, I shall, for the future, have the pleasure of your correspondence, and you may depend upon my punctuality in laying your letters, as they shall arrive, before the King, and transmitting to you such instructions as His Majesty may think proper to be given you, from time to time, for the direction of your conduct in all such cases as may require them.

I am, with great truth and regard, &c., &c.,

RICHMOND, &c.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1766.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

It is voted and resolved, that John Jepson, John Andrews, Metcalfe Bowler, George Hazard and Henry Ward, Esqs., be, and they are hereby, appointed a committee to prepare an humble address of thanks to His Majesty, for giving his royal assent to the bill for repealing the stamp act; and that they lay the same before this Assembly, as soon as may be.

It is voted and resolved, that the powder used on the day of rejoicing at Fort George, for the glorious and important news of the repeal of the stamp act, in firing a royal salute in honor and gratitude to His Majesty, for his great goodness in

assenting to the repeal of the said act; and one gun fired at the opening, and another at the conclusion of that joyful day; and also, the royal salute, and the evening gun, fired on His Majesty's birth day, be allowed by the government.*

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to return the thanks of this General Assembly, to the merchants in London, for their zealously exerting themselves in favor of America, in promoting the repeal of the stamp act.

Whereas, the towns of Providence, Scituate and Cumber-

* The following account of the celebration of this event in Providence, is taken from the Providence Gazette, of the time :

"To show our loyalty, to our most gracious sovereign, as well as to express our love of liberty, the anniversary of His Majesty's birth day was fixed upon for a day of public rejoicing. Accordingly, the auspicious morn was ushered in by the ringing of bells, and a discharge of several cannon from a battery, planted on the parade. The court house, a most elegant structure, was beautifully ornamented with colors, and the shipping in the harbor hove out theirs, at a signal given. Joy and gladness shone in every countenance; and nothing was to be heard, but mutual congratulations, until eleven o'clock, when, according to the order of the day, there was a general gathering of the people on the parade. From thence, they marched in order, with drums beating, trumpets sounding, and colors displayed, to the Presbyterian meeting house, where thanks were given to the Supreme Ruler of the universe, for his kindness to his people, in releasing them from the heavy burdens which were imposed on them, and for continuing their liberties.

There was an animated and well adapted discourse delivered by the Rev. Mr. Rowland, from Psalm cxxvi. 3, and the religious exercises were concluded with a beautiful anthem, performed by a company of musicians. The assembly returned in like good order as they came, to the court house, where His Majesty's health was drank by many hundreds, under a royal salute of twenty-one cannon, when the company adjourned to four o'clock.

Upon their re-assembling, they drank thirty-two of the most loyal, patriotic and constitutional toasts, under a discharge of seven, five and three cannon, accompanied with the sound of drums, trumpets and the loudest huzzas of the loyal multitude, who were liberally treated by the gentlemen of the town.

In the evening, one hundred and eight sky-rockets, with a bee-hive, containing one hundred and six serpents, was played off before the court house, (which was most beautifully illuminated,) with divers other kinds of fire-works. At nine o'clock, there was an elegant boiled collation served up to the company; and at eleven, when every heart was full fraught with joy and loyalty, the company retired. And that the daughters of liberty might not be wholly excluded from rejoicing in a way agreeable to them, the evening after, there was a grand ball given by the gentlemen of the town, at which there was the most brilliant appearance of ladies this town ever saw. The whole was carried on to general satisfaction, and without hurtful accident."

land, have refused to assess and levy their proportions of the last colony tax,—

It is voted and resolved, that three months from the rising of this Assembly, be allowed to the said towns, to assess, levy and collect their several proportions of the said tax, and for paying the same into the general treasury; and that the said towns, respectively, be, and they are hereby, fully empowered and authorized do the same, accordingly.

And it is further voted and resolved, that if the said towns, or either of them, shall neglect or refuse to assess, collect, levy, and pay their respective proportions of the said tax within that time, that then the general treasurer be, and he is hereby, directed to sue the town treasurers of the said towns, or such of them as shall be delinquent, for their refusal, according to law.

Protest.

We, the subscribers, representatives for the towns of Providence, Scituate and Cumberland, dissent; for that the committee appointed by the General Assembly, in October, 1765, to proportion the tax, deviated from a standing general law of the colony, made and passed in February, 1762, for the regulation of all future taxations in the colony; and as they had before them no other rule for regulating their doings, their report ought not to have been received; but as we are unwilling to have any dispute between the colony and the towns we represent, we, in behalf of our constituents, do now offer, that our several towns be assessed agreeably to the general estimate, and will have the money collected and paid into the treasury as soon as possible; and if, upon taking a new estimate, it shall be found that either or all of the aforesaid towns are too low, we, in behalf of our several towns, engage to pay the deficiency, with interest, from the 10th day of March, 1766, till paid.

DANIEL JENCKES,
JOHN COLE,
CHARLES HARRIS,
JEREMIAH WHIPPLE,

MOSES BROWN,
GEORGE JACKSON,
WILLIAM WEST,
ROBERT ALDRICH.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to answer the letter from the Right Honorable Henry Seymour Conway, Esq., to the Governor and Company of this colony ; and to lay the same before this Assembly, at the next session.

Whereas, the committee appointed to prepare an humble address to His Majesty, laid before this Assembly a form of an address ; which being duly considered,—

It is voted and resolved, that the said address be, and hereby is, approved ; that His Honor the Governor be requested to transmit the same to Great Britain, in order to be presented to our most gracious sovereign ; and that the secretary be directed to give out no copy thereof, until intelligence is received of its having been presented to His Majesty.

Whereas, the receiving petitions for the setting aside judgments of court, and staying executions till the parties are heard at another session of the General Assembly, is often attended with many evil and fatal consequences, to the persons who have obtained the same ;—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that for the future, whenever any person or persons petition this General Assembly, for the setting aside any judgment, rule of court, or determination whatever, whereby execution is to be stayed, he, she, or they so petitioning, shall, at least three weeks before the sitting of the General Assembly, deliver and lodge his, her or their petition in the secretary's office, and give bond at said office, in the same manner as bond is now required to be given by law, by persons petitioning the General Assembly ; and that thereupon, the secretary shall issue citations for the adverse party, to appear at the next succeeding session of the General Assembly, to show reasons why such petition should not be granted ; any law, custom or usage, to the contrary hereof, in any wise, notwithstanding.

It is voted and resolved, that a new estimate of all the ratable estates throughout this colony, be made as soon as conven-

iently may be; and that a committee be appointed to take the same before another rate be made and completed.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to issue his proclamation, appointing Thursday, the 26th instant, to be observed as a day of public thanksgiving throughout this colony; to offer up our praises and acknowledgments to the Supreme Being, for the repeal of the late act of Parliament, imposing stamp duties upon the British colonies, in North America.

It is voted and resolved, that £7,000, old tenor, be allowed and paid to Messrs. Joseph Russell, Nathaniel Fales, Nathaniel Pearce, Simeon Potter, Jonathan Peck and Benjamin Bosworth, or any three of them, out of the general treasury, for building a court house in the county of Bristol; that they build a court house in the same place where the old court house now stands, of such dimensions as they shall think suitable; that the undertakers give sufficient bond to the general treasurer, to finish and complete the same, for that sum, as soon as may be; and that the old court house be disposed of to the best advantage, and the amount thereof be appropriated towards building the new court house, besides the said £7,000.

God save the King.

The Duke of Richmond to the Governor and Company of Rhode Island.

Whitehall, 12th June, 1766.

Gentlemen:—I have the pleasure of transmitting to you, herewith enclosed, a printed copy of an act of Parliament, entitled, “An act for indemnifying persons who have incurred certain penalties by an act of the last session of Parliament, for granting certain stamp duties in the British colonies and plantations, in America,” &c.; as also a copy of another act, “for opening and establishing certain ports in the islands of Jamaica and Dominica, for the more free importation and exportation of certain goods and merchandizes,” and other purposes, therein set forth.

Thus you see, gentlemen, that not only the greatest attention has been shown to His Majesty's American subjects, by the repeal of an act which they had complained of, but those grievances in trade, which seemed to be the first and chief object of their uneasiness, have been taken into the most minute consideration, and such regulations have been established, as will, it is hoped, restore the trade of America, not only to its former flourishing state, but be the means of greatly increas-

ing and improving it to the conveniency and advantage of all His Majesty's subjects in every part of his dominions.

With these views, have these regulations been enacted; and from the best inquiries into the commerce of America, it is more than probable that very salutary effects will answer the intentions.

Such manifest concern and tender regard shown by His Majesty, and his Parliament, for the true happiness and prosperity of the colonies and plantations, cannot fail, I am persuaded, to produce, on their part, suitable sentiments of duty, respect and gratitude to their King, and of love and attachment to their mother country.

I am, with great truth and regard, &c., &c..

RICHMOND, &c.

To the Governor and Company of Rhode Island.

The Governor of Rhode Island to Secretary Conway.

Newport, 25th June, 1766.

Sir:—Having the honor of Your Excellency's letter of the 31st of March last enclosing a copy of the act of Parliament, repealing the act of the last session, for granting certain stamp duties in America, &c., I laid it, with the enclosed copies before the General Assembly, at their session, on the 9th instant.

Upon this most happy occasion, the General Assembly, with hearts deeply impressed with affection, loyalty and gratitude, unanimously resolved upon the enclosed humble address of thanks to His Majesty; in which, I most sincerely concurred; and I beg leave to request Your Excellency to do the colony the honor to present it to our most gracious sovereign.

Your Excellency is also pleased to inform us that a revision of the American trade laws is going to be the immediate object of Parliament; and that every relief which the state of our circumstances demands or admits, will be afforded us.

This fresh instance of the kind and indulgent disposition of the British legislature, is universally acknowledged with the most sincere and respectful gratitude; and as nothing is more certain than that the profits of the trade of the colonies will ultimately centre in Great Britain, I have no doubt but such regulations will have the most happy effect upon the commerce and manufactures of the mother country.

The wise, upright and benevolent measures of the legislature, in the present session, have suppressed every appearance of murmuring and dissatisfaction, and diffused joy, tranquillity and happiness throughout the colonies. And I can assure Your Excellency that the most affectionate, dutiful and grateful returns will be made by them; and that they are so firmly attached to their sovereign, and to the British constitution, are so truly sensible of the parental goodness of the mother country, that she may rely upon every possible convenience and advantage from them; and I cannot but promise myself that such measures will continue to be pursued, as will so entirely conciliate the affections both of His Majesty's European and American subjects, that the only future contention between them, will be, which shall most effectually promote His Majesty's service, and the interest of all his widely extended dominions.

In Your Excellency's letter, the making compensation to such persons as have suffered in this colony from the madness of the people, is warmly recommended.

Upon which, I can at present only say, that if any application of that kind should be made to the Assembly, I doubt not but they will take it into serious consideration, and that Your Excellency may be assured of my utmost attention effectually to secure such persons from any future insult; and that as far as my example and influence may extend, they shall receive all proper respect and regard.

Before I conclude, I must beg leave to congratulate Your Excellency upon the happy success of His Majesty's councils. The nation has been often blessed with a wise and upright administration; but to relieve several millions of His Majesty's faithful subjects plunged in the deepest anxiety, distress and confusion, and to restore them to their former tranquillity, security and happiness, was an honor reserved for the present ministry.

I have the honor to be, &c., &c.,

SAMUEL WARD.

To the Right Honorable H. S. Conway.

The Governor of Rhode Island to Gen. Gage.

Newport, 30th June, 1766.

Sir:—At the request of the General Assembly, I have given Your Excellency the trouble of this letter.

In the beginning of the year 1757, the Earl of Loudoun, at a meeting with commissioners from the several governments, held at Boston, agreed in behalf of the crown, to allow two shillings, sterling, a week, for the subsistence of each soldier, which should be raised by the colonies for that year's service. This government then raised four hundred and fifty men, which was the full quota desired; but matters of this kind, being wholly new, and not so properly attended to, as they should have been, no application was made for the subsistence money until 1759, when the accounts for the years 1757 and 1758, were laid before General Amherst, an extract of whose letter on that subject, I have enclosed; by which, you will see that the accounts for 1758, were principally paid; and the rolls for 1757, returned, in order to be made out in a manner therein directed. And they were accordingly made out, and supported, as His Excellency proposed, but never presented until the year 1762; when these, together with the billeting rolls for 1761 and 1762, were laid before the general, who ordered payment of the rolls for the two last years, but returned those of 1757, for the reason mentioned in the extract of His Excellency's letter on that subject, which, with a copy of the report therein referred to, I have enclosed.

You'll observe, sir, that, in this report, money is said to be advanced by Mr. Kilby; it is true, he paid £150, sterling, for provisions furnished by the colony for the troops in their passage to Albany; but as these rolls do not include the time the soldiers were on their passage, this demand is no ways affected by the payment made by Mr. Kilby. And as to a further sum which Col. Robertson seemed to have some faint notion that the Earl himself advanced; Your Excellency may depend upon it, that it could not be on account of these billeting rolls, for they were never made out until after His Lordship's command ceased.

Since the expiration of General Amherst's command, this affair has been unattended to, until May last, when the General Assembly requested me to make application to Your Excellency for payment.

My duty, therefore, obliges me to desire that you will be pleased to take this af-

fair into consideration ; and as all the other colonies concerned in the same service have been long since paid, and there can no reason, in nature, exist, why this colony, which cheerfully raised its desired quota, should be deprived of this allowance, I doubt not but Your Excellency will be of opinion that the money ought in justice, to be paid.

In the latter part of the year 1762, and the beginning of the year 1763, Lieut. Edmund Howland raised a number of recruits in this colony, whose subsistence amounted to £42 14s. 4d., sterling, besides their passage to New York, at a dollar a man, which is the allowance made by the crown ; although much short of the real sum it costs the colony, amounting to £19 2s. 6d., sterling, as Your Excellency will see by the billeting roll, and account herewith transmitted.

In the year 1762, a number of seamen, who belonged to His Majesty's ship *Hussar*, when she was lost in the West Indies, were taken up in this town ; and by directions from General Amherst, sent to New York ; the expenses of whose subsistence, while here, and passage to New York, amounting in the whole to £92 12s. New York currency, was paid by the colony, who requested me to make application to General Amherst for the reimbursement of the money. I accordingly prepared the account ; but a change of administration in this colony taking place, the gentlemen that succeeded me, kept the account by him until some time in this month ; but as this delay can be injurious to the colony only, it will be no objection to a reimbursement of the money advanced for His Majesty's service. Permit me, therefore, to request Your Excellency to put these matters into the proper channel, that the colony may receive these monies so long and so justly their due ; and also to desire you, if any objections should arise to the accounts, or any difficulties with regard to the payment, to favor me with early information of them, that they may be removed.

I have the honor to be with great truth and regard, sir, &c., &c.

SAMUEL WARD.

To His Excellency General Gage.

The Duke of Richmond to the Governor and Company of Rhode Island.

Whitehall, July 10, 1766.

Gentlemen :—I send you, herewith enclosed, an act, entitled " An act for repealing certain duties in the British colonies and plantations, granted by several acts of Parliament," &c. ; and for granting other duties instead thereof ;" which, I make no doubt will be received and considered as a further proof of the King and Parliament's attention to the interests and prosperity of His Majesty's American subjects

I am, &c., &c.

RICHMOND, &c.

To the Governor and Company of Rhode Island.

General Gage to the Governor of Rhode Island.

New York, 30th July, 1766.

Sir:—I received the favor of your letter of the 30th June, enclosing several papers relative to old demands that the colony of Rhode Island have against the crown, and which you prefer as Governor, at the request of the General Assembly of said colony.

As most of these demands are of a very old standing, and it seems something particular that they have not been long since settled, I shall consult such of the officers of the crown, who, having served under the former commanders in chief in North America, may be able to give me some insight into these matters; and as soon as I shall be able from their information, to form a judgment of these respective demands, I shall have the honor of giving you a more particular answer to your letter.

I am, with great regard, sir, &c., &c.,

THOS. GAGE.

To the Hon. Governor Ward, at Newport, R. I.

The Lords of Trade to the Governor and Company of Rhode Island.

Whitehall, August 1st, 1766.

Sir:—In pursuance of an address of the House of Commons to His Majesty, on the 27th of March last, and of His Majesty's commands thereupon, signified to us by His Grace the Duke of Richmond, in a letter to us, dated the 11th ultimo, you are forthwith to prepare, and, as soon as possible, transmit to us, in order to be laid before the House of Commons, in the next session, a particular and exact account of the several manufactures which have been set up and carried on within the colony under your government, since the year 1734, and of the public encouragement which has been given thereto.

You are also, from time to time, annually to transmit the like account of any manufactures which shall hereafter be set up, and of the public encouragement which has been given thereto.

We are, &c., &c.,

DARTMOUTH,

WM. FITZHERBERT,

ED. ELLIOT,

PALMERSTON.

JOHN ROBERTS,

To the Governor and Company of Rhode Island.

The Earl of Shelburne to the Governor and Company of Rhode Island.

Whitehall, August 9th, 1766.

Gentlemen:—The King having been pleased to make an order in Council, bearing date the 8th inst., which revokes and repeals every clause and article contained in the orders made by His late Majesty, in Council, on the 11th of March, 1752, I transmit to you, herewith, in obedience to the above mentioned order, a copy of the same, for your information and observance.

I am, with great truth and regard, &c., &c.,

SHELBURNE.

To the Governor and Company of Rhode Island.

Order of the King in Council.

At the Court at St. James's,
The 8th day of August, 1766.

Present, the King's Most Excellent Majesty.

| | |
|-------------------|-----------------------|
| Lord President, | Earl of Hillsborough, |
| Lord Privy Seal, | Earl of Shelburne, |
| Duke of Grafton, | Viscount Falmouth, |
| Earl of Hertford, | Mr. Secretary Conway. |

Whereas, there was this day laid before His Majesty, at this board, an order, made by His late Majesty, in Council, dated on the 11th day of March, 1752. containing several rules and regulations relating to His Majesty's colonies and plantations in America, particularly with respect to the correspondence to be carried on between the lords commissioners for trade and plantations, and the governors of the said colonies and plantations, respectively; His Majesty, taking the aforementioned order into his consideration, is hereby pleased, with the advice of his privy council, to revoke and repeal the same, and every clause, article and thing therein contained.

And His Majesty doth hereby signify his further pleasure, that the lords commissioners for trade and plantations, do cause a copy of this order to be ordered upon the books of the plantation office; and that one of His Majesty principal secretaries of state do cause copies thereof to be sent to the governors of His Majesty's colonies and plantations, in America, to the end that all persons concerned, may govern themselves, accordingly.

And His Majesty doth hereby further order, that the said lords commissioners for trade and plantations, do prepare the draught of an additional instruction to be sent to the governors and commanders in chief of all His Majesty's said colonies and plantations, respectively, as well in America as elsewhere, revoking and annulling all and every such part and parts of the general instructions to them, as do direct the said governors to correspond on matters relative to their said governments, respectively, with the said lords commissioners for trade and plantations, only; and signifying His Majesty's pleasure, that in all cases where the said governors are directed and required to transmit any particular or general accounts of their proceedings, or of matters relative to their government, they do, for the future, transmit the same to His Majesty, by one of His Majesty's principal secretaries of state; and also, transmit duplicates thereof, to the lords commissioners for trade and plantations, for their information, except in cases of a secret nature. W. BLAIR.

The Earl of Shelburne to the Governor and Company of Rhode Island.

Whitehall, 9th August, 1766.

Gentlemen:—The King, having been graciously pleased, upon the resignation of the Duke of Richmond, to deliver to me the seals of the southern department, I take the earliest opportunity of notifying the same to you; and am to acquaint you, by His Majesty's command, that your despatches are to be henceforward directed

to me. You may depend upon their being punctually laid before the King; and that I shall not fail to transmit to you, from time to time, such orders as I may have the honor to receive from His Majesty, in consequence of them.

I am, with great truth and regard, &c., &c.,

SHELBURNE.

To the Governor and Company of Rhode Island.

The Earl of Shelburne to the Governor and Company of Rhode Island.

Whitehall, 13th September, 1766.

Gentlemen :—Advices having been received from His Majesty's superintendents for Indian affairs, that the most unprovoked violences and murders have been lately committed on the Indians, under the protection of His Majesty, and whose tribes are at present in peace and amity with His Majesty's provinces, and that the offenders have not yet been discovered and brought to justice; and likewise that settlements have been made on the back of the provinces, without proper authority, and beyond the limits prescribed by His Majesty's royal proclamation of 1763; and in some places, even beyond the utmost boundaries of any province in America; and that, in consequence, the Indian nations do every where discover the greatest discontents and resentments, which may endanger the peace of His Majesty's provinces, and the safety of his subjects.

It is, therefore, His Majesty's commands, that you apply yourself in the most earnest manner, to remedy and prevent those evils, which are as contrary to the rules of good policy, as of justice and equity.

The violation of those principles, attended also with so many dangers to the provinces, is what cannot be permitted. If a due obedience had been paid to His Majesty's royal proclamation, and a due attention given to proper restraints on the conduct of the Indian traders, these evils would have been effectually avoided.

His Majesty's commander in chief has received express orders to co-operate with the civil government, for the enforcing a due obedience to that proclamation; and His Majesty requires and expects every measure to be taken, which prudence can dictate, for the removing such settlers, preventing in future any such settlements as are contrary to the intention of the proclamation, and for apprehending such offenders whose daring crimes have so direct a tendency to involve the whole of His Majesty's provinces in America, in an Indian war.

I am, with great truth and regard, &c., &c.,

SHELBURNE.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday in September, 1766.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

Whereas, Joseph Lippitt, John Waterman, Jr. and Daniel Howland, Esqs., presented unto this Assembly, the following report, to wit:

Whereas, the Honorable General Assembly, held at Newport, within and for the colony of Rhode Island, &c., on the first Wednesday of May, A. D. 1766, appointed us, the subscribers, a committee, to audit the accounts of sundry ship carpenters, and other artificers, who were taken at Oswego, and carried into captivity, by the French; and we, in obedience to the said appointment, having taken the matter under consideration, and examined the muster roll, evidences, and other papers, relating to said accounts, find due, since said fortress was surrendered to the French, till the decease or return home of the several persons undernamed—

[This report contains the names of the men referred to, with a statement of the period for which wages were due to them. The periods were from thirteen to forty-five months; and the wages reputed to be due, from £21, to £170, sterling. The agent of the colony in London, was directed to lay the report before the home government, and solicit the payment of the amount claimed to be due.]

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write to the agent of this colony, in Great Britain, directing him to use his utmost endeavors to procure an order for the sum of £2,672 18s. 11d., sterling.

which appears to be due to this colony, by a report, a copy of which, now lies before this Assembly, sent by the agent.

Whereas, an act was passed by this General Assembly, at the last session, that a new estimate of all the ratable estates, throughout this colony, should be made as soon as conveniently might be; and that a committee should be appointed to take the same before another rate be made and completed,—

It is now voted and resolved, that the said act be, and the same is hereby, repealed.

It is voted and resolved, that the committee who were appointed at the February session, 1766, to inquire into the letters sent by the collector and comptroller of the customs, in this colony, to the commissioners of the customs, in Great Britain, be, and they are hereby, continued for that purpose; and that they make report to this Assembly at the next session.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, on the last Wednesday in October, 1766.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

It is voted and resolved, that Mr. George Jackson, John Andrews, Esq., and Joshua Clarke, Esq., be, and they, or the major part of them, are hereby, appointed a committee to take into consideration, all the petitions lying before this Assembly, against preventing fish from going up the several rivers in this colony, and to prepare a bill for that purpose; and that they lay the same before this Assembly, as soon as may be.

It is voted and resolved, that Metcalfe Bowler, Samuel Nightingale and Henry Marchant, Esqs., be, and they, or the

major part of them, are hereby appointed a committee, to take into consideration the letter from the agent for this colony, in Great Britain, now lying before this Assembly; and to consider of the best method for obtaining the money due to this colony, from the crown.

It is voted and resolved, that Nicholas Easton, Esq., Daniel Jenckes, Esq., Samuel Nightingale, Esq., Joshua Clarke, Esq., and Mr. Thomas Freebody, be, and they, or the major part of them, are hereby, appointed a committee, to make inquiry what manufactures have been set up within this colony, since the year 1734, and what public encouragement hath been given to them; and that they make report to this Assembly, at the next session.

Report of the Committee who Revised the Laws.

To the Honorable General Assembly of the colony of Rhode Island, now sitting at Providence, on the last Wednesday in October, 1766 :

We, the subscribers, who were appointed by the General Assembly, to revise the laws of this colony, do report :

That we undertook the said business, and procured all the necessary books, papers and records, for carrying on the task; that, although the execution of our trust was attended with circumstances of peculiar difficulty, arising from the perplexed situation of the laws, yet, by an unwearied application to this interesting and necessary service, we have at length completed the revisal, and have formed all the laws of a general nature and obligation, now in force, under proper heads and titles, omitting all such as related to the emitting or sinking of the bills of public credit of this colony, according to the direction of the General Assembly, noting in the margin of each act the dates of all such laws as are therein comprised. And, as the laws, from time to time, have suffered so many alterations and amendments, that it became impracticable for us, in our digest and compilation, to preserve the order of time or date in ordering the whole, we have placed the laws alphabetically.

That we have brought together, under the same head and title, all such acts, or parts of acts, as any way related thereto.

That in the prosecution of our business, we found ourselves under great difficulties in forming together the several laws relating to the same point, and could not otherwise get over these difficulties, than by supplying and inserting such paragraphs or clauses as we judged were either the evident intention of the legislature, and such as might be fairly inferred from the equity of the laws; or such as were plainly necessary for making the whole consistent and uniform.

We have laid our revision before the committee appointed to examine the same, together with all our papers, records and minutes, relating thereto; and constantly attended them in their examination.

We now present to the Honorable Assembly our said revisionment and digest, wherein we have most conscientiously endeavored to execute the trust reposed in us, according to the best of our skill and ability, and hope the same may meet with Your Honors' approbation.

JAMES ANGELL,
SILAS DOWNER,
OLIVER ARNOLD.

October 31, 1766.

Report of the Committee who examined the Revisionment of the Laws.

To the Honorable the General Assembly of the colony of Rhode Island, now sitting at Providence:

We, the subscribers, being appointed a committee to examine the revisionment of the laws of this colony, made by James Angell, Silas Downer and Oliver Arnold, Esqs., who were appointed for that purpose, do report:

That we have carefully examined and compared the same, with the law books and the schedules, and are of opinion, that the said revisionment, compilement, or digest, contains the spirit of the laws relating to the public administration of justice, and is executed with great attention and ability.

In performing this most necessary work, the committee have met with great difficulty in drawing into one law all the laws scattered throughout the law books and schedules, relating to the same subject; which hath necessarily occasioned many alterations in the expression, and the insertion of divers new paragraphs for connecting and completing the whole. We have noted all the material alterations, and herewith present our minutes.

All which, is submitted to this Honorable Assembly, by—

JOHN ANDREWS,
HENRY WARD,

GEORGE HAZARD,
JOSEPH LIPPITT,
WILLIAM ELLERY.

October 31, 1766. JOHN COLE,

It is voted and resolved, that a tax of £6,000, lawful money, and £75,000, old tenor, be assessed and levied upon the inhabitants of this colony; that the lawful money be appropriated to the payment of the notes which the general treasurer was directed to give for sinking the remainder of the lawful money bills, emitted in March and May, 1760; and that the old tenor be appropriated to the payment of the bonds given by the general treasurer, in behalf of the colony, for old tenor, with interest at the rate of ten per cent.

And it is further voted and resolved, that the general treasurer be, and he is hereby, directed to hire lawful money, at the rate of six per cent., to pay off the remainder of the notes given, as aforesaid.

An Act to prevent dragging and destroying of oysters in any of the bays, coves, rivers or harbors, within this colony.

Whereas, the inhabitants of this colony, have heretofore been greatly benefited by the great plenty of oysters, taken in the bays, coves, rivers and harbors, within this colony; and whereas, some persons, for the more easy and expeditious taking of oysters in large quantities, have made use of drags, fitted for that purpose, which rake over the beds, and kill and destroy more oysters than are taken by them, and thereby have greatly damaged, and almost destroyed many of the beds of oysters in the said bays, coves, rivers and harbors, to the great injury of the inhabitants of this colony; and whereas, the laws already made, respecting oysters, are found insufficient for the preservation of them,— [Here follows the act.]

Report of the Committee appointed to take the Agent's Letter into Consideration.

We, the subscribers, being appointed by the General Assembly, to take into consideration the agent's letter now lying before the General Assembly, and to form some method for obtaining the moneys granted by the crown to this colony, having accordingly taken the same into consideration, do report as our opinion:

That it is expedient that His Honor the Governor be requested, as soon as may be, to write home to the agent of this colony, that His Majesty's instructions, signified by the Right Honorable Mr. Secretary Conway, recommending the late sufferers within this colony, have been laid before the Assembly; that as yet, no persons have applied for any redress; but when they do, in a constitutional way, the General Assembly will undoubtedly take the same into consideration, and act thereupon in such a manner as the nature of their cases shall require.

But, that in the mean time, the General Assembly cannot conceive why the moneys, reported by the committee, to be due to the government, should be detained; and that they humbly conceive this delay in paying said moneys, is by no means submitting the suffering of the persons, recommended in His Majesty's instructions to the determination of the General Assembly of this colony.

That this colony is in the utmost distress, owing to the large sums expended in the general cause of Great Britain and America, trusting in the assurance the colony had, of being refunded. And this delay, it is imagined, will be thought the more grievous to the colony, as the proportions due to the other colonies, have long since been paid.

Also, that His Honor the Governor would be pleased to assure the agent, that the apprehension of any depredations, committed by a mob in this colony, hath

been encouraged and animated by any persons of consequence, (as far as the General Assembly have any knowledge in such matter,) is entirely without foundation; and it is hoped and expected, the assurance of this Assembly will have as great weight, as the suggestion of any evil minded persons on the other side of the water; and that the agent be also instructed to assure the lords of the treasury, and all His Majesty's ministers, of the same.

We also think it expedient, that His Honor the Governor be requested to write to the lords of the treasury, and to His Majesty's secretary of state for this department, acquainting them of the contents of the agent's letter, or so much thereof, as he may judge proper, and urging the matters, aforesaid; and earnestly soliciting the immediate payment of the moneys due to the colony, which remain unpaid, upon considerations, aforesaid; and by such further motives and inducements as His Honor the Governor may think expedient. All which, is humbly submitted, by—

METCALFE BOWLER.

SAMUEL NIGHTINGALE,

HENRY MARCHANT.

And the said report being duly considered,—

It is voted and resolved, that the same be accepted; and that His Honor the Governor be, and he is hereby, requested to write to the lords of the treasury, and to the agent, agreeably thereto.

An Act for destroying barberry bushes in Middletown.

Whereas, experience sheweth, that barberry bushes have a very great tendency to blast English grain,—

Be it therefore enacted by this General Assembly, and by the authority of the same it is enacted, that where any person in the town of Middletown, hath any barberry bushes growing in his or her field, or enclosure, and shall be applied to by any freeholder, in said town, to destroy them, and the person so applied to, shall refuse or neglect for the space of one month, to cut up and destroy them; that then, and in such case, it shall, and may be, lawful for the person so applying, to make application to one of His Majesty's justices of the peace, who is hereby empowered to grant forth his warrant to impress laborers to cut and destroy all the barberry bushes there growing, (for the destroying of which, application hath been made, as aforesaid,) at the cost and charge of the complainant or complainants, and not at the expense of the owner of the land,

committing as little waste, and doing as little damage to the owner of the land, as the case will admit of.

God save the King.

The Governor of Rhode Island to the Earl of Shelburne.

Newport, November 6th, 1766.

My Lord :—I have the honor of Your Lordship's letter of the 9th of August, acquainting this colony, that, upon the resignation of the Duke of Richmond, His Majesty had been graciously pleased to deliver Your Lordship the seals for the southern department; upon which, I beg leave, with great sincerity, to congratulate Your Lordship; and to assure Your Lordship, that it gives the colonies a very sensible pleasure, to find Your Lordship, whom they esteem so peculiarly the friend of America, so high in His Majesty's favor.

The act of Parliament for repealing certain duties in the British colonies, &c., which accompanied the copy of the Duke of Richmond's letter, is considered as a fresh proof of the attention of our most gracious sovereign and his Parliament, to the interests of America.

The notice Your Lordship hath communicated of the changes His Majesty hath been pleased to make in his administration, is very obliging; and I most heartily wish that His Majesty's ministers may be so happy, by a wise and upright conduct, as to continue to merit his royal approbation, and the esteem of all their fellow subjects.

I have the honor, also, of another letter from Your Lordship, of the same date, enclosing a copy of His Majesty's order in council, of the 8th of August; which I shall at all times duly observe.

The military stores and provisions furnished by the colonies, in the year 1756, for the provincial troops, were, by directions from the Earl of Loudon, commander in chief of His Majesty's forces in North America, taken into the King's magazines, and the colonies were, on the behalf of the crown, promised payment for them. The other colonies, upon presenting their accounts, received the money, accordingly; but this colony, unhappily neglecting to transmit their accounts (amounting to £4,211 19s. 7d.,) in season, an objection arose when they were presented, to the payment of them; and they were referred to the then secretary at war and paymaster general, who proposed a deduction of £1,209 14s.

Thus the matter rested for several years, when the agent for this colony was instructed to renew his applications for payment of those accounts; upon which, they were again referred to the secretary at war and the paymaster general; who, after some further deductions, reported that there was due and payable to the colony, £2,672 18s. 11d.; which sum, the colony expected the agent would soon have received.

But in his last letter, he informs me, that upon application for the money, he received a positive answer from the lords of the treasury, "That as a requisition was gone from the crown to the colony, the treasury board thought fit to suspend the payment of the money until an answer came from the colony, relating to that requisition."

The General Assembly, upon the receipt of this letter, requested me to lay the

matter before His Majesty's principal secretary of state, for this department; and I have accordingly given Your Lordship this short account of the affair.

I beg leave to observe to Your Lordship, that this colony really paid the whole sum charged for the several articles in their accounts; so that, if the sum reported to be due, be paid, they will suffer an actual loss of upwards of £1,500, besides the damage they have sustained, by being kept out of the money ten years; interest for which, they have paid ever since, at the rate of ten per cent. per annum.

This colony, My Lord, surrounded on all sides, by the Massachusetts Bay, Connecticut and the sea, and not exposed to the attacks of the enemy upon this continent, were animated solely by a zeal for His Majesty's service, and the honor and dignity of his crown, to exert themselves in the common cause of Britain and America, in such a manner as to merit and receive the approbation of His Majesty's ministers and generals; and so far beyond their ability, that they are now actually involved in a most heavy debt; for which, by reason of the scarcity of money, they have been, and for years to come, will be obliged to pay a very high interest.

From these considerations, the detention of the balance reported to be due, occasions great uneasiness, and is considered as a peculiar hardship by His Majesty's loyal subjects in this colony; the more especially, as all the other colonies have long since received the moneys due to them, upon the same account.

I must also beg leave to submit to Your Lordship, whether this suspension of payment may not be considered rather a mode of compelling the colony to grant moneys to the persons who have suffered, than as a recommendation of the sufferers; whether it will not have a manifest tendency to discourage the colonies from exerting themselves in the same vigorous manner for His Majesty's service for the future; and whether, considering His Majesty's inviolable and tender regard for the rights and privileges of all his subjects, a measure so coercive can be supposed to be agreeable to his royal intentions.

I am also, at the request of the General Assembly, to assure Your Lordship, that the opinion that the rioters in this colony were countenanced in their depredations by any person of note or consequence is, (so far as the members of the General Assembly have any knowledge or information thereof,) entirely groundless; and that when the sufferers shall make a proper application to the Assembly, they will consider the same, and do them all the justice the nature of their cases shall require.

These are the sentiments of the General Assembly, upon this occasion; and I beg leave to request Your Lordship's good offices in their behalf; and I flatter myself, that, as it was certainly His Majesty's gracious intention that this colony should receive the same marks of his royal favor as the other colonies have enjoyed, that payment of the money will be ordered; which, in the present situation of this colony, will be a most seasonable and acceptable relief.

I have the honor to be, &c., &c.,

SAM'L WARD.

To the Right Honorable the Earl of Shelburne, one of His Majesty's principal secretaries of state.

The Governor of Rhode Island to the Lords Commissioners of the Treasury.

Newport, November 6, 1766.

My Lords :—It was with great concern, that this colony received a letter from Mr. Sherwood, their agent in Great Britain, informing them that he had applied to Your Lordships for the payment of the money lately reported by the secretary at war and paymaster general to be due and payable to this colony, for military stores and provisions taken into the King's magazine, in the year 1756 ; and that Your Lordships had given a positive answer, that, " As a requisition is gone from the crown to the colony, the treasury board thinks fit to suspend the payment of the money, until an answer comes from the colony, relating to that requisition."

The General Assembly, upon the receipt of the letter, requested me to inform Your Lordships, that the letter from Mr. Secretary Conway, recommending the late sufferers in this colony, had been laid before them ; that as yet, no persons have applied for redress ; and that when they shall make application in a constitutional way, the Assembly will take the same into consideration, and act thereupon as the nature of their cases may require ; and that they cannot conceive why the money reported to be due to the colony, should in the mean time be detained ; as they think the justice of the General Assembly may be safely relied upon.

This delay, My Lords, the Assembly humbly conceive, is by no means submitting the sufferings of the persons recommended by His Majesty's instructions to their determination, who in this case are undoubtedly proper and capable judges of the damages, and how they ought to be made good.

I am also requested to assure Your Lordships, that any apprehensions that the mob were animated and encouraged in their depredations, by any persons of consequence in this colony, are entirely without foundation, as far as the General Assembly have any knowledge of the matter ; and it is hoped that the assurances of the Assembly will have more weight than the suggestions of evil minded persons to the prejudice of the colony.

As this colony, My Lords, really paid the whole sum for the articles charged in their accounts, if the money reported to be due, be paid, they will actually suffer a loss of more than £1,500, besides the damages they have sustained, in being kept out of their money ten years ; during which time, they have paid interest for that sum at the rate of ten per cent. per annum.

As the colony, during the last war, exerted themselves in the common cause of Great Britain and her colonies, in such a manner as to merit and receive the approbation of His Majesty's ministers and generals, and so far beyond their abilities, that they are now involved in a most heavy debt, notwithstanding the large annual taxes that were raised during the war, and have been continued ever since ; and as all the other colonies have long since received the money due to them, upon the same account, the Assembly consider the detention of the money as a peculiar hardship, and as a great discouragement to the colony from exerting themselves with the same ardor and vigor for His Majesty's service, for the future.

These, My Lords, are the sentiments of the General Assembly, upon this subject, which I was desired to represent to Your Lordships ; and I beg leave to request

Your Lordships to take this matter into consideration, and to give the necessary directions for the payment of the money due to the colony.

I have the honor to be, &c., &c.,

SAM. WARD.

To the Right Honorable the Lords Commissioners for executing the office of High Treasurer of Great Britain.

The Governor of Rhode Island to Joseph Sherwood, Agent of the Colony, in London.

Newport, 6th November, 1766.

Sir :—Since my letter, of the 4th of July last, a duplicate of which, accompanies this, I have been favored with yours, of the 15th May, 25th July and 21st August last; all which, I have laid before the General Assembly.

Your assiduity in soliciting the payment of the money due to the government, in 1756, is very acceptable; but the detention of the money reported to be due and payable to the colony, was very unexpected, and hath occasioned great uneasiness. At the request of the General Assembly, I am now to acquaint you, that Mr. Secretary Conway's letter, recommending the late sufferers in this colony, has been laid before them; that as yet, no persons have applied for redress; and that when they do, in a constitutional way, the Assembly will undoubtedly take the same into consideration, and act thereupon as the nature of their cases shall require; but they cannot conceive why the monies reported to be due to the government, should, in the mean time, be detained. This delay, they humbly conceive, is by no means submitting the sufferings of the persons recommended by His Majesty's instructions to the determination of the General Assembly.

I am also to observe, that the large sums of money expended by this government in the common cause of Great Britain and her colonies, hath involved this colony in the utmost distress; and as an entire confidence was placed in the assurances of a reimbursement, and the other colonies have long since received their money due upon the same account, this delay is considered as the more grievous.

I am also to assure you, that the apprehensions that the mob were encouraged and animated in their depredations by any persons of consequence in this colony, are entirely without foundation, as far as the General Assembly have any knowledge of this matter; of which, you may inform the lords of the treasury and His Majesty's ministers; and there is no doubt but the assurances of the General Assembly will have greater weight than the suggestions of evil minded persons on this or the other side of the water.

And now, having acquainted you with the sentiments of the General Assembly, on this subject, I have only to recommend to you, to make the most speedy and diligent application for payment, to the lords of the treasury, which the regard due to that respectable board will admit; and you may plead, besides, the justice of the demand, and the necessities of the government; for such has been their ardor for His Majesty's service, that notwithstanding large annual taxes already paid, we are still involved in a very heavy debt; for a considerable part of which, through the scarcity of money, we pay an interest of ten per cent. per annum; this is more than double the premium given at home for the use of money, and is a convincing argument that this colony has exerted itself vastly beyond its abilities, and must certainly

need, and I believe I may modestly say, merits every assistance the mother country is able to afford.

In your letter of the 15th May, you mention the outrages and violent riots committed in the government, upon the persons and effects of the two gentlemen, then in London, and some others. Mr. Howard and Dr. Moffatt, who I suppose, are meant, certainly suffered some losses in their property, but no other person received the least injury in his person or effects, excepting Mr. Johnston, whose damages were not more than is commonly suffered by a sudden removal of household furniture. And the losses sustained by those two gentlemen, as far as I can now judge (they never having complained of any to the colony,) do not amount to one-fifth part of the money allowed to be due to this colony.*

I cannot help thinking but that their lordships have been greatly misinformed with respect to this matter; and promise myself, when things are represented in their proper light, that the treasury board will give the necessary orders for payment of the money.

I have, at the request of the General Assembly, written to one of His Majesty's principal secretaries of state, and the lords of the treasury on this subject, and in order that you may be fully acquainted with the sentiments of the government, and co-operate with them, I have enclosed you copies of those letters.

I am, with great regard, sir, &c., &c.,

SAM. WARD.

To Joseph Sherwood, Esq.,

* [Reference is here made to disturbances which occurred in Newport, on hearing of the passage of the stamp act. On this occasion, according to the Newport Mercury, of the period, the people of that town assembled on the 27th August, 1765, and manifested their indignation by bringing forth in a cart, three images, intended as the effigies of Augustus Johnston, who had been appointed stamp master for this colony, Martin Howard and Dr. Thomas Moffat. Those men had offended by their writings in favor of the parliamentary jurisdiction over the colonies. Each of those images had a halter around its neck, and all three were carried to the gallows, which had been erected near the town house, where they were hung up to public view till near night.

The day following, they again assembled in great numbers, and proceeded to the house of Martin Howard, where they destroyed or plundered every thing it contained; and demolished the doors, windows, &c., leaving nothing but the bare walls standing.

They then proceeded to the house of Dr. Moffatt, which was treated in a manner nearly similar; from which, they went to the house of Augustus Johnston, with a like intent, but were persuaded by some considerate individuals to desist from further devastation, after having destroyed the furniture. Howard and Moffatt fled, and took shelter on board an English armed sloop, which lay at anchor in the harbor; and believing it no longer safe for them to remain in the country, they departed for England.

Those persons afterwards laid their claims for damage before the General Assembly. Howard, £970, sterling; Moffatt, £1,310; and Johnston, £423 1s. 3d. These accounts were before the Assembly a long time, but no definite action was had on them, or payment made to the sufferers.]—J. R. B.

The Governor of Rhode Island to the Lords Commissioners of Trade and Plantations.

Newport, 10th November, 1766.

My Lords :—Having the honor of His Majesty's instructions communicated in Your Lordships' letter of the 1st August last, relative to the several manufactures, which have been set up within this colony, I laid the same before the General Assembly, convened on the last Wednesday in October past, who immediately appointed a committee to make inquiry, and prepare an account agreeably to the King's instructions ; their report will probably be made at the next session of the Assembly ; upon receiving which, I shall embrace the earliest opportunity of transmitting it to Your Lordships.

I have the honor to be, &c., &c.,

SAMUEL WARD.

To the Honorable the Lords Commissioners for Trade and Plantations.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, on the first Monday in December, 1766.

The Hon. Samuel Ward, Governor.

Hon. Elisha Brown, Deputy Governor.

Whereas, the General Assembly, at their session in October, 1763, did pass an act for raising by lottery, the sum of £8,000, old tenor, to be applied to re-paving part of Thames street, in the town of Newport, and appointed directors to carry on the same ; some of whom, refused, and nothing hath been done therein ;—

It is therefore voted and resolved, that Messrs. Stephen Ayrault, William Stevens, Samuel Freebody, Samuel Fowler, Nathaniel Coggeshall, Jr., Samuel Brenton, George Gibbs, Jonathan Marsh, Jr. and Samuel Lyndon, Jr., be, and they, or the major part of them, are hereby appointed directors of the said lottery, and empowered to raise the sum of £300, lawful

money, and apply the same, agreeably to the aforesaid act; they giving bond according to custom.

It is voted and resolved, that the attorney general be, and he is hereby, appointed to prepare an act against horse stealing; and that he present the same to this Assembly at the present or the next session.

Whereas, the keeping a regular light in the colony's light house, upon Jamestown, is of the greatest importance to the lives and properties of all persons on board of, or interested in vessels coming upon this coast; wherefore, the land whereon the said light house, and the dwelling house built by the colony, for the keeper thereof, stand, and the whole care of the same, ought to be in the government; as, upon any future misunderstanding with the owner of the land, the lights may be again stopped, which may occasion the most fatal accidents,—

It is therefore voted and resolved, that Mr. Charles Wickham, Daniel Ayrault, Esq., Mr. Evan Malbone, Joseph Clarke, Esq., and Mr. William Redwood, be, and they, or the major part of them, are hereby, appointed a committee, and empowered to treat with Josiah Arnold, Esq., for the land on which the said light house and dwelling house stand; and for so much more as shall be necessary for keeping the said light house conveniently, and purchase the same for the colony; which shall be paid for out of the general treasury, to be re-paid out of the light money, as it shall come into the hands of the naval officer; that if the said committee cannot agree with Mr. Arnold, for the aforesaid land, they proceed to stake out the same, and make report to this Assembly, at the next session, of their doings, and the value of the said land; and that the naval officer of this colony, for the time being, be, and he is hereby, empowered and directed to appoint a proper person to keep good and sufficient lights in the said light house, until further orders from this Assembly.

And for defraying the expense of purchasing the said land, and of maintaining the said light house,—

It is voted and resolved, that the light money be raised to the same price as it was before it was last reduced.

It is voted and resolved, that the secretary, George Hazard, Esq., Mr. William Ellery, James Angell, Esq., and Silas Downer, Esq., be, and they, or the major part of them, are hereby, appointed a committee, to procure the four volumes of the laws of this colony, containing three hundred and ninety pages, as they now stand revised, to be printed as soon as conveniently may be, by such printer as will do the same, at the cheapest rate; that they correct the press, and all such errors as shall appear to them, keeping the true sense and spirit of the laws; that they cause the acts of Parliament, introduced into this colony, to be printed as acts of Parliament, with the said laws; and that they procure two hundred books to be printed, at the charge of the colony.

And it is further voted and resolved, that one law book be given to each of the present members of the upper and lower house of Assembly; to the secretary, attorney general, general treasurer, clerk of the lower house, and keeper of the grand committee's office; to each of the clerks of the superior and inferior courts; and to each of the sheriffs, for the use of said courts; to each town clerk, for the use of their respective towns; to each of the committee who revised the laws; and to each of the committee who examined said revision.

Whereas, Messrs. Nicholas Brown and Company, exhibited unto this Assembly, an account by them charged against the colony, for paper furnished the committee who revised the laws; and the said account being duly examined,—

It is voted and resolved, that the same be, and hereby is, allowed; and that eight shillings and nine pence, lawful money, being the amount thereof, be paid the said Nicholas Brown and Company, out of the general treasury.

[For the expenses attending the revision of the laws, there was paid to James Angell, for his services, £42 14s. 0d.; to Silas Downer, for his services, £47 10s.; to Oliver Arnold, £6 3s. 0d.; to Noah Mason, for the use of his house, by the

committee, and to each of the committee, who examined the revisionment, from £4 10s. 0d., to £7.]

An Act for assessing upon the inhabitants of this colony, the rate or tax of £6,000, lawful money ; and also, of £75,000, old tenor, ordered by this Assembly, at the last session, to be levied on the inhabitants of this colony.

[Here follows the act, and the amount apportioned to the several towns.]

Protest against the Apportionment of the Tax.

We, the subscribers, dissent from the foregoing vote, for the reasons following :

Because, that in the month of February, A. D. 1762, a general estimate of all the ratable estates of every town in this colony, was made and received by the General Assembly, as a rule for assessing taxes on the several towns for the future.

That the committee in apportioning the present tax among the several towns, have departed from the said estimate, which the subscribers say, was the only lawful rule and guide for apportioning the present colony tax ; inasmuch, as the same was in full force at the time when the committee went out to make the apportionment, and stood and remained as a law when they reported ; notwithstanding any act of repeal thereof, during this session of the Assembly.

That if the said estimate, at the time of apportionment, as aforesaid, should be judged of no force or obligation, it will follow that there is no rule or mode whatsoever, subsisting in this colony, for the apportioning of taxes, not only among the several towns, but among the individuals in each town ; and that, therefore, the present tax, considered in the apportionment, thereof, is a high act of arbitrary power and despotism, and an exercise of such authority as is utterly inconsistent with a British constitution, and most evidently tending to slavery.

That it is with great concern we observe the administration to depart from solemn rules, fixed at a great expense, for the mode of taxation ; and instead thereof, to rely upon the uncertain judgment and mere guess and conjecture of a committee unacquainted with the circumstances of the inhabitants of the several towns in this colony, sent out and returning in less than twenty-four hours ; and who, without supernatural assistance, cannot, in so short a time, be supposed to do equal justice.

That if ever the time should happen, when the passions of any prevailing administration should be the rule of their government, a matter of taxation, without any other rule or guide than mere arbitrariness, would be the object of their particular attention, if arguments deduced from fact and experience be regarded and considered ; and that therefore, the least deviation from fixed and established rules in those matters, ought to be most cautiously heeded.

Upon the whole, we say, that the apportioning of the present tax is contrary to

the only rules fixed by the colony ; and from which, a departure cannot, and ought not, in justice, to be had, until some other rules and mode of taxation be established.

And we, the deputies from the towns of Providence, Scituate and Cumberland, do, in behalf of our constituents, offer, that if, upon a new and general estimate, it shall appear that our respective towns are too low, we will engage for them to pay the difference or excess, in the present tax, with interest.

DANIEL JENCKES,

EZEKIEL CORNELL,

MOSES BROWN,

JEREMIAH WHIPPLE,

SAMUEL NIGHTINGALE,

ROBERT ALDRICH

CHARLES HARRIS,

God save the King.

Public Acts passed during the year 1766.

[The following laws will be found at length in the printed "Schedules," or acts and resolves of the General Assembly, for the year 1766.]

An Act for supplying the general treasury with £1,000, lawful money. (February.)

An Act to naturalize James Van Gilst. (June.)

An Act empowering the moderators of the several town meetings in this colony, to keep the peace in town meetings. (June.)

An Act to prevent fraud and abuses in the article of hoops, sold within this colony. (September.)

An Act to prevent the counterfeiting of coins, and cutting and dividing the same. (December.)

The Earl of Shelburne to the Governor and Company of Rhode Island.

Whitehall, December 11th, 1766.

Gentlemen :—I am to signify to you, His Majesty's pleasure, that you will, with as much despatch as may be, transmit to me, for His Majesty's information, an exact estimate of the annual charge of maintaining and supporting the entire establishment of His Majesty's colony of Rhode Island ; distinguishing the different funds and the different services to which those funds are appropriated. You will be very particular in specifying what funds are fixed and regular, from those which are annually granted, or which expire in a given time.

It is, also, His Majesty's pleasure, that you transmit to me, at the same time, a full and clear account of the manner of imposing quit rents, and of levying them ; as also, the mode of granting lands in your colony, specifying the amount of arrears of quit rents and the number of grants hitherto made, and to whom, how many acres to each, and at what time the grants have been made.

I am, with great truth and regard, &c., &c.,

SHELBURNE.

To the Governor and Company of Rhode Island.

P. S. In your future despatches, I would recommend to you, the giving every separate subject a separate letter; and the numbering of each letter. This method will contribute much to the order and despatch of business.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the last Monday in February, 1767.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

This Assembly, having maturely weighed the proposals from the town of Scituate, for putting an end to the dispute between the collector of the said town, upon account of their refusing to pay the taxes apportioned upon them, by the General Assembly, and being of opinion, that, with a small addition, they may be accepted,—

Do vote and resolve, and it is voted and resolved, that the suit commenced by the colony, against the town of Scituate, be prosecuted to final judgment; but that, nevertheless, if the said town shall forthwith assess the two last rates, apportioned upon them by the General Assembly, and collect and pay into the general treasury the first of the said rates, together with the interest due thereon, and costs of suit, within three months after the rising of this Assembly, (the other rate being to be collected and paid in the same manner as by the other towns,) that then the fine which shall be recovered of said town, shall be remitted, and the said town shall be fully discharged from the same; and that the execution upon the judgment which shall be obtained against the said town, shall not be taken out until the expiration of that time; and if the said tax be not paid in as aforesaid, that then execution shall proceed.

And it is further voted and resolved, that the said town of Scituate be, and hereby is, empowered to assess, collect and pay into the general treasury, the said tax appointed in Octo-

ber, 1765, as fully and amply, to all intents and purposes, as they could at any time heretofore have done.

And it is further voted and resolved, that an estimate or valuation of all the ratable estates in this colony, shall be taken before another rate or tax be apportioned upon the several towns; and that if it shall appear, by the said estimate which shall be taken, that the town of Scituate hath paid more than their proportion of their last two rates, that then the excess shall be refunded to the said town, with interest from the time of payment, out of the general treasury; and if it shall appear that the said town hath paid less than their proportion of the said rates, the deficiency shall be paid into the general treasury, with interest from the respective times the said rates should have been paid in.

Whereas, John Jepson, Esq., Mr. Benjamin Greene and Mr. Edward Thurston, Jr., who were appointed in February last, a committee to inquire into the complaint made by the collector and comptroller of the customs in this colony, to the commissioners of the customs in Great Britain, against the judge of the court of vice admiralty, and the King's advocate, in this colony, for misconduct in their offices, have made no report,—

It is therefore voted and resolved, that they be, and hereby are, continued a committee, for the purposes for which they were appointed; and that they, or the major part of them, make a thorough examination of said affair, and make report to this Assembly as soon as may be.

It is voted and resolved, that the committee appointed at the last session to treat with Josiah Arnold, Esq., for the land on which the light house and dwelling house stands, and for as much more as shall be necessary for keeping the light house conveniently, and to purchase the same for the colony, &c., be, and they are hereby, continued for the purposes for which they were appointed; and that they make report to this Assembly as soon as may be.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1767.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

The following officers, declared elected, were duly engaged:

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

ASSISTANTS.

Mr. Peleg Thurston,
Mr. Josiah Arnold,
Mr. Nicholas Cooke,
Mr. Ephraim Bowen,
Mr. John Mawdfley,

Mr. Thomas Wickes,
Mr. Jonathan Randall,
Mr. Daniel Coggeshall,
Mr. Joseph Hazard,
Mr. Thomas Church.

DEPUTIES.

Newport.

Mr. Metcalfe Bowler,
Mr. John Wanton,
Mr. George Hazard,
Capt. Samuel Carr,
Mr. John Read,
Mr. Thomas Freebody.

Providence.

Mr. Daniel Jenckes,
Mr. Moses Brown,
Mr. John Cole,
Mr. Thomas Greene.

Portsmouth.

Mr. Jonathan Freeborn,
Mr. Enoch Butts,
Mr. Oliver Earle,
Mr. Benjamin Hall.

Warwick.

Col. Benoni Waterman,
Col. James Arnold,
Capt. Randal Rice,
Mr. Jabez Greene.

Westerly.

Mr. Joseph Crandall,
Capt. Edward Saunders.

DEPUTIES.

New Shoreham.

Mr. Ray Sands,
Capt. Josiah Sheffield.

North Kingstown.

Col. Immanuel Northup,
Col. Samuel Rose.

South Kingstown.

Mr. William Potter,
Mr. Thomas Potter, Jr.

East Greenwich.

Maj. Preserved Pierce,
Mr. William Pearce.

Jamestown.

Mr. Robert Hull,
Mr. John Remington.

Smithfield.

Mr. Samuel Winsor,
Mr. Stephen Whipple.

Scituate.

Mr. Charles Harris,
Mr. John Fisk.

Glocester.

Major Rufus Smith,
Mr. Stephen Steere.

Charlestown.

Mr. Peleg Cross,
Mr. Gideon Hoxie.

West Greenwich.

Mr. Samuel Hopkins,
Capt. Charles Carr.

Coventry.

Mr. Caleb Greene,
Mr. Francis Brayton.

Exeter.

Mr. John Chapman,
Mr. Job Tripp.

Middletown.

Mr. Joshua Barker,
Mr. John Holmes.

Bristol.

Capt. Simeon Potter,
Col. Nathaniel Pearce.

Tiverton.

Capt. Edward Gray,
Capt. Isaac Manchester.

Little Compton.

Mr. Elihu Woodwarth,
Capt. George Simmons.

Warren.

Mr. Cromel Child,
Mr. Thomas Allen.

Cumberland.

Mr. Jeremiah Whipple,
Capt. Daniel Wilkinson.

Richmond.

Capt. Benjamin Barber,
Capt. David Potter.

Cranston.

Mr. Benjamin Sprague, Jr.,
Mr. Benjamin Knight.

Hopkinton.

Capt. Edward Wells,
Mr. James Rhodes.

Johnston.

Mr. Henry Harris,
Mr. John Waterman.

North Providence.

Mr. Benjamin Whipple,
Capt. Stephen Jenckes.

John Cole, Esq., speaker ; Josias Lyndon, clerk.

Mr. Henry Ward, secretary.

Mr. Oliver Arnold, attorney general.

Mr. Joseph Clarke, general treasurer.

James Helme, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Walter Chaloner. Providence county, Mr. Paul Tew. Kings county, Mr. Beriah Brown. Kent county, Mr. Henry Rice. Mr. Thomas George, captain of Fort George.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Benjamin Sherburne, Esq., colonel ; Benjamin Hall, Esq., of Portsmouth, lieutenant colonel ; Charles Spooner, Esq., major.

Providence county, Thomas Angell, Esq., colonel ; Abraham Winsor, lieutenant colonel ; Chadd Brown, Esq., major.

Kings county, Thomas Gardner, Esq., colonel ; Nicholas Gardner, Jr., Esq., lieutenant colonel ; Nathan Gardner, Esq., major.

Bristol county, Simeon Potter, Esq., colonel ; Joshua Bicknal, Esq., lieutenant colonel ; John Waldron, Esq., major.

Kent county, John Waterman, Esq., colonel ; Robert Carr, Esq., lieutenant colonel ; Edward Gorton, Jr., Esq., major.

It is voted and resolved, that the towns of Providence, Scituate and Cumberland, proceed to assess and levy their respective proportions of the two last colony taxes, agreeably to the general estimate established in the year 1762 ; and that the general treasurer issue his warrants, accordingly.

[Twenty-seven members protested against this vote, for various reasons ; among others,]—

“Because the colony hath been put to a considerable ex-

pense in prosecuting actions against those towns, by reason of their utterly refusing to assess and pay the taxes apportioned upon them ; in which actions, the colony hath not only recovered final judgment against them, but it hath not appeared to the General Assembly ever since, by a committee or any other way, of their having been overdone in said proportion. And if this vote' pass, the consequence will be, that notwithstanding the colony hath obtained final judgment, the colony must lose the whole expense of prosecution."

It is voted and resolved, that Thomas Church and Caleb Greene, Esqs., be, and they are hereby, appointed a committee, to see what proportion of the two last taxes ought to be paid by the towns of Providence, Scituate and Cumberland, agreeably to the estimate established in February, 1762 ; that the assessors of rates in the said towns have the same power and authority to assess the said rates as they had at the times the said rates were apportioned ; that the tax apportioned upon those towns in 1765, be paid within three months, and the tax in 1766, within four months after the rising of this Assembly ; that the said towns, upon the payment of their taxes, agreeably to this vote, shall be acquitted from the judgments of court obtained against them, for non-payment of the said tax, apportioned in 1765 ; and that the secretary, within four days after the rising of this Assembly, transmit copies of the votes passed by this Assembly, respecting the said towns, to the several town clerks.

And it is further voted and resolved, that the sums taken off of the towns of Providence, Scituate and Cumberland, shall be proportioned among the towns which shall be found to have been too light in the taxes assessed in the years 1765 and 1766, by the estimate proposed to be taken ; and that they pay the same interest as the other towns, from the times the several sums should have been paid in, until paid.

Report of the Committee proportioning the tax upon Providence, Scituate and Cumberland, for the years 1765 and 1766.

We, the subscribers, being appointed a committee, to proportion the tax, agreeably to the general estimate, taken throughout the colony, in 1762, to the towns of Providence, Scituate and Cumberland, for the years 1765 and 1766, having performed the same, do report, as followeth, to wit:

| | | | | | | Lawful Money. | | |
|-------------------------------------|-------|-----------|---------------------------------|----|----|---------------|----|----|
| | | | | | | £ | s. | d. |
| The town of Providence for the year | 1765, | is to pay | 518 | 19 | 7 | | | |
| " " " " | 1766, | " | 249 | 14 | 8 | | | |
| " " Scituate | 1765, | " | 455 | 10 | 1½ | | | |
| " " " | 1766, | " | 219 | 04 | 9½ | | | |
| " " Cumberland | 1765, | " | 259 | 13 | 4 | | | |
| " " " | 1766, | " | 125 | 03 | 4 | | | |
| All which, is submitted by | | | THOMAS CHURCH, CALEB GREENE. | | | | | |

Whereas, several inhabitants of the town of North Providence, preferred a petition, and represented unto this Assembly, that their remaining a part of the town of North Providence is greatly to their disadvantage, and prayed that they may be reunited to the town of Providence,—

It is therefore voted and resolved, that the said petition be, and the same is hereby, referred to the next session; and that the town of North Providence be cited to appear at the next session, to answer the same, by serving the town clerk of the said town, with a copy thereof.

It is voted and resolved, that the whole of that paragraph of the act of the General Assembly, passed in 1746, requiring all the freemen then in the colony, all that should afterwards be made free, to take an oath against bribery and corruption, be, and the same is hereby, repealed and rendered null and void; and that every person who hath taken the aforesaid oath, be

wholly absolved therefrom, as fully, amply, and effectually, as though he had never taken the same.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1767.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

Whereas, the minister, church wardens, vestry and congregation of Trinity Church, in Newport, preferred a petition, and represented unto this Assembly, that the steeple of said church is so much decayed, that they are obliged to pull it down, and erect one entirely new, which will be attended with an expense too great for them to bear, without assistance; and thereupon, they prayed this Assembly, to grant them the liberty of setting up a lottery, for raising the sum of \$2,500, for the said purpose; to be divided into classes, as the directors shall judge most beneficial; and that Messrs. Thomas Cranston, Evan Malbone, Andrew Hunter, Francis Brinley, Simon Pease, Jr., John Mawdfley, Josiah Arnold, James Keith, John Bours and William Tweedy, may be appointed directors of the said lottery; who are ready to give bond for the faithful performance of their trust; and the said petition being duly examined,—

It is voted and resolved, that the same be, and hereby is, granted.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the last Monday in June, 1767.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

Whereas, divers freemen of the town of North Providence, preferred a petition and represented unto this Assembly, that by the late division of the town of Providence, a large number of inhabitants belonging to the compact part of the town of Providence, were incorporated into the town of North Providence; and that the greatest part of the inhabitants so taken off, are merchants and tradesmen, and are thereby so much connected with the inhabitants of the town of Providence, that remaining in their present separated state, is greatly to their disadvantage; and thereupon prayed, that that part of the town of North Providence heretofore commonly called the compact part, may be re-united to the town of Providence, from whence it was taken, by a straight line, beginning at the southerly end of the meadow called Four Stack Meadow, to the north-west corner of the burying land; and then, easterly and southerly, by said burying ground, as by the plat thereof, until it comes to the lane, called Herrington's Lane; then easterly, by the north side of said lane, till it meets with the south-west corner of the land of Joseph Olney; then crossing said lane, due south, until it comes to the south side of said lane; then extending easterly, as said lane runs, bounding northerly by said lane until it comes to the dividing line between the lands of William Brown and Phineas Brown; and then by said line easterly, to Seaconck River.

And further prayed, that the inhabitants of the town of North Providence may for ever have and enjoy the full con-

stant and free use, privilege and improvement of the said burying ground, for burying their dead ; making monuments for the same ; and for mustering their trained bands and exercising their soldiers thereon.

And also further prayed, that the aforesaid north part of the town of North Providence, when re-united to Providence, may be for ever indemnified from any charge or expense that may accrue to the town of Providence on account of their not paying the two last rates imposed on said town.

And the foregoing petition being duly considered,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the same be, and hereby is, granted.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the last Monday in August, 1767.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

Whereas, several of the inhabitants of the town of North Providence represented unto this Assembly, that by an act passed in June, 1765, the town meetings in said town were ordered to be held at the house of Major Thomas Olney, which they conceive to be burthensome ; and thereupon prayed, that for the future, the inhabitants of said town may have the full and free liberty of holding their town meetings wherever it may suit them best, as shall be agreed upon by the major part of the freemen ; and the said petition being duly considered,—

It is voted and resolved, that the same be, and hereby is, granted.

Whereas, a letter was laid before this Assembly, from Andrew Oliver, Esq., to His Honor the Governor, respecting a

school house erected on the Indian lands, in the Narragansett country,—

It is thereupon voted and resolved, that Thomas Ninnigret sachem of the Narragansett tribe of Indians, be notified by a citation from the secretary, directed to some proper officer, to appear at the next session; and that, in the mean time, he do not by any means dispose of any of his lands; and that His Honor the Governor be, and he is hereby, requested to write to Mr. Oliver, and inform him of this vote.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to deliver to the secretary all the public letters that are not registered, now in his hands, sent to the colony since the report of the committee appointed to examine which letters should be registered; and also, copies of all such letters sent from the colony, in order to be recorded agreeably to law; and that the same, when registered, be returned to His Honor the Governor, in order to be placed in the colony's chest.

It is voted and resolved, that those persons who have made application to this Assembly for recompense for the damages they sustained by a number of persons in August, 1765, who, in a riotous manner, attacked their houses in the night, and made spoil and destruction, lay before this Assembly, on oath, an account of the particular articles they lost, and of the damages done to their houses, as soon as conveniently may be,

Whereas, Mr. Cromel Child, in behalf of the congregation of Baptists, in Warren, in this colony, under the pastoral care of the Rev. Mr. Manning, preferred a petition, and represented unto this Assembly, that they have been at a very great charge and expense in building a meeting house and parsonage house in said town; that the parsonage house is not yet finished, and by reason of the large sums they have expended, as aforesaid, they cannot at present complete the same; and that Mr. Manning hath now under his care several pupils to be educated in the liberal arts, who cannot be accommodated in the said house in its present condition; and thereupon prayed, that the sum of £150, lawful money, may be raised by a lottery, in one or

more classes, and upon such plan as the directors shall think best, to be applied to finishing the said parsonage house, and rendering it more commodious for the entertainment of the pupils, who are, or shall be, placed there for education ; and that Messrs. Sylvester Child, John Child, Nathan Miller, Edward Thurston, Jr., William Bradford and Samuel Winsor, may be appointed directors of the said lottery, they giving bond, according to custom ; on consideration whereof,—

It is voted and resolved, that the foregoing petition be, and the same is hereby, granted.

It is voted and resolved, that the general treasurer be, and he is hereby, directed to receive all the taxes that remain unpaid, without any further interest than was required by the acts of Assembly, assessing the several taxes ; that the deficiency which may be occasioned by the interest not being paid upon the taxes, from the times they were ordered to be collected, be assessed upon the several towns which have been delinquent, in the next colony rate ; that the several collectors of rates in this colony pay into the general treasury all the rates and taxes assessed before the year 1766, committed to them to collect on or before the 10th day of October next ; and the tax assessed in 1766, on or before the 10th day of November next ; and that the general treasurer be, and he is hereby, directed to issue warrants of distrain against all and every the collectors of taxes, who shall neglect or refuse to pay the rates committed to them to collect by the above mentioned times.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1767.

The Hon. Samuel Ward, Governor.

The Hon. Elisha Brown, Deputy Governor.

The following officers, declared elected, were duly engaged :

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

ASSISTANTS.

Mr. Peleg Thurston,
Mr. Josiah Arnold,
Mr. Nicholas Cooke,
Mr. Ephraim Bowen,
Mr. John Mawdfley,

Mr. Thomas Wickes,
Mr. Jonathan Randall,
Mr. Daniel Coggeshall,
Mr. Joseph Hazard,
Mr. Thomas Church.

DEPUTIES.

Newport.

Mr. Metcalfe Bowler,
Mr. John Wanton,
Mr. George Hazard,
Capt. Samuel Carr,
Mr. John Read,
Mr. Thomas Freebody.

Providence.

Mr. Daniel Jenckes,
Mr. Moses Brown,
Mr. John Cole,
Mr. Thomas Greene.

Portsmouth.

Mr. Jonathan Freeborn,
Mr. Enoch Butts,
Mr. Oliver Earle,
Mr. Benjamin Hall.

Warwick.

Col. Benoni Waterman,
Col. James Arnold,
Capt. Randal Rice,
Mr. Jabez Greene.

Westerly.

Mr. Joseph Crandall,
Capt. Edward Saunders.

DEPUTIES.

New Shoreham.

Mr. Ray Sands,
Capt. Josiah Sheffield.

North Kingstown.

Col. Immanuel Northup,
Col. Samuel Rose.

South Kingstown.

Mr. William Potter,
Mr. Thomas Potter, Jr.

East Greenwich.

Maj. Preserved Pierce,
Mr. William Pearce.

Jamestown.

Mr. Robert Hull,
Mr. John Remington.

Smithfield.

Mr. Samuel Winsor,
Mr. Stephen Whipple.

Scituate.

Mr. Charles Harris,
Mr. John Fisk.

Glocester.

Major Rufus Smith,
Mr. Stephen Steere.

Charlestown.

Mr. Peleg Cross,
Mr. Gideon Hoxie.

West Greenwich.

Mr. Samuel Hopkins,
Capt. Charles Carr.

Coventry.

Mr. Caleb Greene,
Mr. Francis Brayton.

Exeter.

Mr. John Chapman,
Mr. Job Tripp.

Middletown.

Mr. Joshua Barker,
Mr. John Holmes.

Bristol.

Capt. Simeon Potter,
Col. Nathaniel Pearce.

Tiverton.

Capt. Edward Gray,
Capt. Isaac Manchester.

Little Compton.

Mr. Elihu Woodwarth,
Capt. George Simmons.

Warren.

Mr. Cromel Child,
Mr. Thomas Allen.

Cumberland.

Mr. Jeremiah Whipple,
Capt. Daniel Wilkinson.

Richmond.

Capt. Benjamin Barber,
Capt. David Potter.

Cranston.

Mr. Benjamin Sprague, Jr.,
Mr. Benjamin Knight.

Hopkinton.

Capt. Edward Wells,
Mr. James Rhodes.

Johnston.

Mr. Henry Harris,
Mr. John Waterman.

North Providence.

Mr. Benjamin Whipple,
Capt. Stephen Jenckes.

This Assembly taking into consideration the letter from Andrew Oliver, Esq., laid before this Assembly, at the last session,—

Do vote and resolve, and by and with the consent of Thomas Ninnegret, sachem of the Narragansett tribe of Indians, in this colony, it is voted and resolved, that the said Thomas Ninnegret, and five of his council, make, execute and give, to the secretary of this colony, a good and legal deed of an island in a certain swamp, in Charlestown, in this colony, containing about three acres, whereon stands a school house, for the use of a school for said tribe of Indians, for ever ; with the privilege of a convenient passage to and from the same ; that Matthew Robinson, Esq., be, and he is hereby appointed to draw the said deed, and see the same executed ; and that the whole charge accruing thereon, be paid by said tribe.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, on the last Monday in February, 1768.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

It is voted and resolved, that His Honor the Governor, Mr. Speaker, Daniel Jenckes, Esq., George Hazard, Esq., Mr. Moses Brown, Benjamin Peckham, Esq., the secretary, Henry Marchant, Esq., Darius Sessions, Esq. and John Cole, Esq., be, and they, or the major part of them, are hereby, appointed a committee to take into consideration the letter sent by the speaker of the house of representatives of the Province of the Massachusetts Bay, to the speaker of the lower house of this Assembly ; and to draw up a suitable address to His Majesty ; and also a letter to one of His Majesty's principal

secretaries of state; and that they make report to this Assembly, as soon as may be.*

* *The Speaker of the House of Representatives of the Province of the Massachusetts Bay, to the Speaker of the House of Representatives of Rhode Island.*

Province of the Massachusetts Bay,
February 11th, 1768.

Sir:—The House of Representatives of this Province have taken into their serious consideration, the great difficulties that must accrue to themselves and their constituents, by the operation of the several acts of Parliament, imposing duties and taxes on the American colonies.

As it is a subject in which every colony is deeply interested, they have no reason to doubt but your Assembly is duly impressed with its importance; and that such constitutional measures will be taken by them, as are proper.

It seems to be necessary that all possible care should be taken that the representations of the several Assemblies, upon so delicate a point, should harmonize with each other. The House, therefore, hope that this letter will be candidly considered in no other light than as expressing a disposition freely to communicate their mind to a sister colony, upon a *common concern*, in the same manner as they would be glad to receive the sentiments of your or any other House of Assembly, on the continent.

This House have humbly represented to the ministry their own sentiments: that His Majesty's high court of Parliament is the supreme legislative power over the whole empire; that in all free states, the constitution is fixed; and as the supreme legislature derives its power and authority from the constitution, it cannot overleap the bounds of it without destroying its own foundation; that the constitution ascertains and limits both sovereignty and allegiance; and therefore, His Majesty's American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rules of the British constitution; that it is an essential, unalterable right in nature, engrafted into the British constitution as a fundamental law, and ever held sacred and irrevocable by the subjects within the realm, that what a man has honestly acquired, is absolutely his own, which he may freely give, but cannot be taken from him, without his consent; that the American subjects may, therefore, exclusive of any consideration of chartered rights, with a decent firmness adapted to the character of free men and subjects, assert this natural, constitutional right.

It is, moreover, their humble opinion, which they express with the greatest deference to the wisdom of Parliament, that the acts made there, imposing duties on the people of this Province, with the sole and express purpose of raising a revenue, are infringements of their natural, constitutional rights; because, as they are not represented in the British Parliament, His Majesty's Commons in Britain, by these acts, grant their property without their consent.

This House further are of opinion, that their constituents, considering their local circumstances, cannot, by any possibility, be represented in the Parliament; and that it will for ever be impracticable that they should equally be represented

Whereas, divers inhabitants of the town of Newport preferred a petition, and represented unto this Assembly, that the street named King's Street, is a very public street, and much used ; that it hath never yet been paved, and in the winter

there, and consequently, not at all,—being separated by an ocean of one thousand leagues ; and that His Majesty's royal predecessors, for this reason, were graciously pleased to form a subordinate legislature here, that their subjects might enjoy the unalienable right of a representation ; and that considering the utter impracticability of their being fully and equally represented in Parliament, and the great expense that must unavoidably attend even a partial representation there, this House think that a taxation of their constituents even, without their consent, grievous as it is, would be preferable to any representation that could be admitted for them there.

Upon these principles, and also considering that, were the right in the Parliament ever so clear, yet, for obvious reasons, it would be beyond the rules of equity that their constituents should be taxed on the manufactures of Great Britain here, in addition to the duties they pay for them in England, and other advantages arising to Great Britain from the acts of trade ; this House have preferred an humble, dutiful and loyal petition to our most gracious sovereign, and made such representations to His Majesty's ministers, as they apprehend would tend to obtain redress.

They have also submitted it to consideration, whether any people can be said to enjoy any degree of freedom, if the crown, in addition to its undoubted authority of constituting a governor, should also appoint him such a stipend, as it shall judge proper, without the consent of the people, and at their expense ; and whether, while the judges of the land and other civil officers in the Province, hold not their commission during good behaviour, their having salaries appointed by the crown, independent of the people, hath not a tendency to subvert the principles of equity, and endanger the happiness and security of the subject.

In addition to these measures, the House have written a letter to their agent, Mr. De Berdt, the sentiment of which he is directed to lay before the ministry, wherein they take notice of the hardship of the act for preventing mutiny and desertion ; which requires the Governor and Council to provide enumerated articles for the King's marching troops, and the people to pay the expense ; and also, the commission of the gentlemen appointed commissioners of the customs, to reside in America ; which authorizes them to make as many appointments as they think fit, and to pay the appointees what sums they please ; for whose misconduct they are not accountable ; from whence it may happen, that officers of the crown may be multiplied to such a degree as to become dangerous to the liberties of the people, by virtue of a commission which doth not appear to this House to derive any such advantages to trade, as many have been led to expect.

These are the sentiments and proceedings of this House ; and as they have too much reason to believe that the enemies of the colonies have represented them to His Majesty's ministers and the Parliament, as factious, disloyal, and having a disposition to make themselves independent of the mother country, they have taken occasion in the most humble terms, to assure His Majesty and his ministers, that, with regard to the people of this Province, and, as they doubt not, of all the colonies, the charge is unjust.

season is almost impassable ; and that the paving of it will accommodate many people ; and thereupon, prayed that a lottery may be granted to raise the sum of \$500, in one or more classes, as the directors shall think best, to be applied to paving said street ; and that John Mawdley, Esq., John Jepson, Esq., Mr. Pardon Tillinghast, Mr. William Gyles, Mr. James Taylor and Mr. Benjamin Greene, may be appointed directors of said lottery ; they giving bond according to custom ; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the prayer in the said petition contained, be, and the same is hereby, granted.

Petition of Samuel Jackson and others, to the General Assembly, relative to a supposed Coal Mine, near Providence.

To the Honorable General Assembly, to be held at East Greenwich, on the last Monday of February, 1768. The petition of Samuel Jackson, cooper ; Richard Jackson and John Updike, merchants, all of Providence, in the county of Providence, humbly sheweth :

That they are about to dig after pit coal, commonly called sea coal, in the town of Providence, and make an effectual trial if there be any coals thereon or not ; that they are induced to make this experiment from the many natural appearances and marks of coal, which have occurred to such as are skilled in coal mines ; and after the most deliberate review of their undertaking, they find some encouragement in their proceeding, although the experiment will be attended with great expense. If any great quantity should be discovered, it would certainly be a great benefit to the colony, as fire wood grows scarce, and consequently dear, and no sea coal has yet been discovered, in these parts. The place where the bed of coal is supposed to lie, is in the hill, at the back of the town ; from whence it might be put on board of vessels with great ease and advantage. It might become a great staple, and bring immense sums of money into the colony, which would be distributed primarily amongst a multitude of laborers, who must necessarily be employed in carrying on the business, and from their hands be circulated through the govern-

The House is fully satisfied that your Assembly is too generous and enlarged in sentiment, to believe that this letter proceeds from an ambition of taking the lead or dictating to the other Assemblies. They freely submit their opinion to the judgment of others, and shall take it kind in your House, to point out to them any thing further which may be thought necessary.

This House cannot conclude, without expressing their firm confidence in the King, our common head and father, that the united and dutiful supplications of his distressed American subjects will meet with his royal and favorable acceptance.

Signed by the Speaker.

A true copy, attest: SAMUEL ADAMS, Clerk.

ment. It might be a means of bringing into the government a number of vessels from the neighboring colonies, with such necessary articles, (to trade off for coal,) as at present we are obliged to send after, and cannot procure otherwise than by considerable loss in trade.

The petitioners humbly conceive, that if they had a monopoly of the whole business, they could not derive any more advantages to themselves than a moderate compensation for their trouble in managing the business, and directing the operation of the laborers; but the principal advantages arising from the business, would accrue to the public, and be equitably distributed.

The petitioners are confident that the legislature of the colony will constantly attend to, and countenance, every species of business or manufacture, that will have a tendency to bring the balance of trade into our favor, or that will any ways be to the emolument of the colony.

With these ideas, they humbly pray the Assembly to grant unto them, their heirs and assigns, a patent, under the great seal of the colony, for the sole vending, disposing and exporting all sea coal or pit coal, or by whatsoever other name the same may be called, which may be found by them in the town of Providence; and that no other person or persons be permitted to sell or export any coal found in said Providence, for the term of fourteen years, after the petitioners shall discover coal; or grant them some other encouragement for their undertaking a business of so great expense, and which in event may prove of universal benefit, as Your Honors may see fit; the petitioners being ready to give sufficient security, that they will make an effectual experiment within three years, and that if coals should be found in sufficient quantities, they will supply the markets at a much cheaper rate than can be imported from abroad, or surrender up their patent. And they will ever pray, &c.

SAMUEL JACKSON,

JOHN UPDIKE, for RICHARD JACKSON,
JOHN UPDIKE.

On consideration wherof,—

Be it enacted by this General Assembly, and by the authority thereof, it is enacted, that the foregoing petition be, and the same is hereby, granted; and that a patent be accordingly issued by His Honor the Governor, under the colony seal, and countersigned by the secretary; and that the petitioners give bond in the sum of £1,000, lawful money to the general treasurer, for the performance of their engagements.

God save the King.

Public Acts passed during the year 1767.

[The following laws will be found at length in the printed "Schedules," or acts and resolves of the General Assembly, for the year 1767.]

- An Act to prevent the fish being obstructed in their passage up the rivers Pawcatuck and Pawtuxet. (February.)
- An Act for calling in and sinking all the lawful money bills emitted by this colony, in the months of March, April and May next. (February.)
- An Act for supplying the treasury with the sum of £2,000, law money. (February.)
- An Act for taking an estimate of the ratable estates in this colony. (June.)
- An Act to naturalize Pierre Victor la son. (June.)
- An additional Act for taking a general estimate (June.)
- An Act for fixing and ascertaining of interest, and for preventing excessive usury in the colony; and also for shortening the time for the redemption of mortgages. (June)
- An Act to prevent frauds and abuses in driving flocks of sheep through this colony. (August.)
- An additional Act for the equal distribution of insolvent estates. (October.)
- An Act directing the manner of collecting rates and taxes upon improved lands in this colony, belonging to persons who are not inhabitants thereof. (October.)
- An additional Act for the maintenance and support of insolvent debtors, and poor prisoners, at the King's suit, in jail. (October.)

Letters of the Earl Hillsborough to the Governor and Company of Rhode Island.

No. 1.]

Whitehall, January the 23d, 1768.

Gentlemen:—His Majesty having been graciously pleased to appoint me to be one of his principal secretaries of state, and to commit to my care the dispatch of all such business relative to His Majesty's colonies in America, as has been usually dispatched by the secretary of state for the southern department; I have His Majesty's commands to signify this arrangement to you, and His Majesty's pleasure that your dispatches be, for the future, addressed to me.

It is His Majesty's intention, in making the present arrangement, that all possible facility and dispatch should be given to the business of his colonies; and as nothing can more effectually contribute to this salutary purpose, than a frequent and full communication of all occurrences that may happen, and a regular and punctual transmission of all acts and proceedings of government, and legislature; and of such papers as have any relation thereto; I have it in command from His Majesty, to recommend this to your particular attention; His Majesty having observed with concern, that this essential part of the duty of his officers in America, has scarcely anywhere been duly attended to; and, in several colonies, particularly in the charter and proprietary governments, almost entirely neglected.

I have nothing further to add, but to express my earnest wishes, that, by the ut

most attention and application I can give, I may be able to fulfill His Majesty's most gracious intentions; and I take the liberty to assure you, that I will not omit to lay your despatches, as soon as I receive them, before the King, and to forward and assist, as far as I am able, your measures for the public service.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

P. S. You will be pleased to continue to number each letter you address to me, in the same manner as in your correspondence with the Earl of Shelburne; beginning your first letter to me, with No. 1.

H.

No. 2.]

Whitehall, January the 23d, 1768.

Gentlemen:—Great difficulties having frequently occurred in the transaction of business, relative to His Majesty's colonies, in America, from the want of complete collections of the laws of the said colonies, I have it in command from His Majesty, to desire you will, by the first opportunity, transmit to me, to be laid before His Majesty, a complete collection, either in manuscript or print, of the laws of the colony, under your government, down to the present time; and you will be pleased to give directions that such collection be properly authenticated, under the public seal of your government.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

No. 3.]

Whitehall, February 20th, 1768.

Gentlemen:—I am commanded by the King, to send you a duplicate of the address to His Majesty, from the House of Commons, of the 27th March, 1766, transmitted to you, by the lords commissioners for trade and plantations, on the 2d of August, 1766; to which address, you will take care to pay exact obedience; otherwise, you will incur the censure of that House.

I am with great truth and regard, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

No. 4.]

Whitehall, 5th March, 1768.

Gentlemen:—Pursuant to an order of His Majesty, in Council, on the 26th of February, I herewith transmit to you a copy of a report made to the lords commissioners for trade and plantations, by His Majesty's attorney and solicitor general, upon an act passed in the colony of New Jersey, in June, 1766, entitled "An act to extend certain acts of Parliament of Great Britain, passed in the twelfth year of Her late Majesty Queen Anne, and the fourth of His late Majesty King George the First, for preserving all such ships and goods, thereof, which shall happen to be forced on shore, or stranded."

You will observe, from this report, that it is the opinion of His Majesty's attorney and solicitor general, that the act of the twelfth of Queen Anne, statute 2d, cap. 18, is in force in His Majesty's colonies and plantations in America; and that so

much of the act of the fourth of George the First, cap. 12, as declares the twelfth of Queen Anne to be perpetual, extends to America.

It is, therefore, His Majesty's pleasure, that you do govern yourselves accordingly.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

No. 5.]

Whitehall, April the 21st, 1768.

Gentlemen :—I have His Majesty's commands to transmit to you, the enclosed copy of a letter from the speaker of the house of representatives, of the colony of the Massachusetts Bay, addressed, by order of that House, to the Speaker of the Assembly of each colony upon the continent of North America.

As His Majesty considers this measure to be of a most dangerous and factious tendency, calculated to inflame the minds of his good subjects in the colonies, to promote an unwarrantable combination, and to excite and encourage an open opposition to, and denial of the authority of Parliament, and to subvert the true principles of the constitution ; it is His Majesty's pleasure that you should, immediately upon the receipt hereof, exert your utmost influence to defeat this flagitious attempt to disturb the public peace, by prevailing upon the Assembly of your province to take no notice of it, which will be treating it with the contempt it deserves.

The repeated proofs which have been given by the Assembly of Rhode Island, of their reverence and respect for the laws, and of their faithful attachment to the constitution, leaves little room in His Majesty's breast, to doubt of their showing a proper resentment of this unjustifiable attempt to revive those distractions which have operated so fatally to the prejudice of this kingdom, and the colonies ; and accordingly, His Majesty has the fullest confidence in their affections, and expects that they will give him the strongest proofs of them, on this, and every other occasion.*

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

* This address was received direct from Massachusetts, and referred to a committee of the General Assembly. See p. 534.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1768.

The Hon. Stephen Hopkins, Governor.

The Hon. Joseph Wanton, Jr., Deputy Governor.

The following officers, declared elected, were duly engaged:

The Hon. Josias Lyndon, Governor.

The Hon. Nicholas Cooke, Deputy Governor.

ASSISTANTS.

Mr. Gideon Wanton,

Mr. Thomas Wickes,

Mr. Silas Cooke,

Mr. John Waterman, Jr.,

Mr. Thomas Owen,

Mr. John Congdon,

Mr. Ephraim Bowen,

Mr. Hezekiah Babcock,

Mr. James Barker, Jr.,

Mr. Constant Southworth.

DEPUTIES.

Newport.

Mr. Nicholas Easton,

Portsmouth.

Mr. Metcalfe Bowler,

Mr. John Wanton,

Mr. Oliver Earle,

Mr. George Hazard,

Mr. Jeremiah Lawton,

Capt. Samuel Carr,

Mr. John Wilcox.

Capt. William Read,

Warwick.

Mr. William Richardson.

Mr. Anthony Low,

Providence.

Mr. Stephen Arnold,

Mr. Daniel Jenckes,

Mr. Benjamin Arnold,

Mr. Moses Brown,

Mr. Thomas Holden.

Mr. George Jackson,

Mr. Charles Keen.

DEPUTIES.

Westerly.

Mr. Joseph Crandall,
Capt. Matthew Maxson.

New Shoreham.

Mr. Ray Sands.

North Kingstown.

Col. Samuel Rose.

South Kingstown.

Mr. William Potter,
Mr. Benjamin Peckham.

East Greenwich.

Maj. Preserved Pierce,
Mr. Archibald Campbell.

Jamestown.

Capt. William Hazard,
Mr. John Weeden.

Smithfield.

Mr. Thomas Lapham,
Mr. Daniel Smith.

Scituate.

Mr. Gideon Harris,
Mr. William West.

Glocester.

Mr. Richard Steere,
Capt. Israel Arnold.

Charlestown.

Mr. Robert Potter,
Capt. Joseph Stanton, Jr.

West Greenwich.

Mr. Benjamin Tillinghast,
Mr. William Comstock.

Coventry.

Mr. Obadiah Johnston,
Capt. Israel Bowen.

Exeter.

Mr. John Chapman,
Mr. George Pierce.

Middletown.

Mr. John Barker,
Mr. Thomas Coggeshall, Jr.

Bristol.

Col. Simeon Potter,
Mr. William Bradford.

Tiverton.

Mr. Samuel Durfee,
Capt. Edward Gray.

Little Compton.

Mr. Nathaniel Searle,
Mr. Elihu Woodwarth.

Warren.

Major Josiah Humphrey,
Major Samuel Allen.

Cumberland.

Mr. Jeremiah Whipple,
Mr. Abner Lapham.

Richmond.

Mr. Caleb Barber,
Mr. William Kinyon.

Cranston.

Mr. Thomas Potter,
Mr. William Dexter.

Hopkinton.

Capt. Edward Wells,
Mr. Lawton Palmer.

Johnston.

Col. Josiah Thornton,
Mr. William Hawkins.

North Providence.

Mr. Edward Smith,
Mr. Eseck Hopkins.

The Hon. Metcalfe Bowler, speaker ; Mr. Wm. Ellery, clerk.

Mr. Henry Ward, secretary.

Mr. Oliver Arnold, attorney general.

Mr. Joseph Clarke, general treasurer.

Joseph Russell, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Joseph Wanton, son of Gideon. Providence county, Mr. Paul Tew. Kings county, Mr. Peter Phillips. Bristol county, Mr. Richard Smith. Kent county, Mr. Charles Holdon.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Benjamin Sherburne, Esq., colonel ; Benjamin Hall, Esq., of Portsmouth, lieutenant colonel ; Jethro Spooner, Esq., major.

Providence county, Knight Dexter, Esq., colonel ; Amos Atwell, lieutenant colonel ; Chadd Brown, Esq., major.

Kings county, Joseph Taylor, Esq., colonel ; George Sheffield, Esq., lieutenant colonel ; James Babcock, Esq., major.

Bristol county, Simeon Potter, Esq., colonel ; Samuel Allen, lieutenant colonel ; John Waldron, Esq., major.

Kent county, John Waterman, Esq., colonel ; Thomas Comstock, Jr., Esq., lieutenant colonel ; James Arnold, Esq., major.

An Act empowering the justices of the superior court of judicature, court of assize and general jail delivery, to meet and hold a special court, for the trial of Thomas Careless, Charles John Marshall and Robert Young, officers on board His Majesty's ship of war, the Senegal, now lying at anchor in the harbor of Newport, who stand committed to His Majesty's jail, in Newport, for a supposed murder committed on the body of one Henry Sparker, in the night time, on Tuesday, the 3d day of this instant May.

Whereas, the superior court of judicature, court of assize and general jail delivery, at which the said Thomas Careless, Charles John Marshall and Robert Young, are by due course of law to be tried, will not meet until September next, and His Majesty's service, by their detention in jail until that time, may greatly suffer ; and whereas, they have made application unto this Assembly, by their petition, and prayed that a special court may be held for their trial ;—

[A special court was ordered to be held in Newport, in June.]

God save the King.

The Earl of Hillsborough to the Governor and Company of Rhode Island.

No. 7.]

Whitehall, May 14th, 1768.

Gentlemen :—The commissioners of His Majesty's customs, in America, having represented that their officers meet with great obstructions, and are deterred from exerting themselves in the execution of their duty ; I have it in command from His Majesty, to signify to you his pleasure, that you do give them all the assistance and support in your power, in the discharge of their respective offices, and in carrying the laws of trade and revenue into due execution.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1768.

The Hon. Josias Lyndon, Governor.

The Hon. Nicholas Cooke, Deputy Governor.

Whereas, a considerable number of the inhabitants of the counties of Providence and Kent, preferred a petition, and represented unto this Assembly, that the great North Road leading from Providence, through Plainfield, into the internal

parts of the colony of Connecticut, with which this colony hath a great and beneficial intercourse and dealing, is very rough, and greatly out of repair, whereby travellers are much fatigued and discouraged; and the transportation of heavy goods and commodities from thence into this colony, by land, is extremely difficult, to the great detriment of trade; that the legal methods for amending highways will prove insufficient for putting in good order the said road; it lying through a rugged and uneven country, and the inhabitants being very much scattered, and generally poor; and that if a lottery may be granted, for repairing the same, they have the strongest assurances from Connecticut, that the inhabitants of that colony will not only take off a great number of tickets, but use their greatest influence to have the roads on their side well mended and repaired to the colony line; and thereupon they prayed this Assembly to grant a lottery, for raising a sum not exceeding £200, lawful money, to be applied to amending the said road, over and above what may be done in the usual way; that Caleb Greene, Esq., of Coventry; Capt. Andrew Angell and Mr. Peter Cooke, of Scituate; and Col. Thomas Angell and Mr. Joseph Fisk, of Johnston, may be appointed managers or directors of said lottery, and be empowered to contrive the scheme, and see that the money, so raised, be duly appropriated for said end; and that they be subject to account; which was accordingly granted.

It is voted and resolved, that His Honor the Governor be and he is hereby, requested to write answers to the letters addressed to the Governor and Company, by the Earl of Hillsborough, bearing date January 23, 1768, and transmit to him an authenticated printed copy of the public laws of the colony, down to that time.

It is voted and resolved, that His Honor the Governor, Nicholas Easton, Esq., Capt. Eseck Hopkins and the secretary be, and they are hereby, appointed a committee, to draught an answer to the Earl of Hillsborough's letter, of the 20th of February last past; and that they report the same to this Assembly as soon as may be.

God save the King.

Letters from the Governor of Rhode Island to the Earl of Hillsborough.

No. 1.]

Newport, Rhode Island, June 17th, 1768.

My Lord :—I am to inform Your Lordship, that at the general election, held on the first Wednesday in May last, pursuant to our charter, the freemen of this colony did me the honor to elect me their Governor for the current year; and I beg leave to assure Your Lordship, that with a heart filled with affection and duty to His Majesty, it shall be my study, upon every occasion, to demonstrate that loyalty I owe to the best of Kings, as well as a due attention to the interests and rights of the people, who have appointed me to preside over them.

I am favored with Your Lordship's letter of the 23d of January last, No. 1.

The constituting another principal secretary of state, for the dispatch of all business relative to the British colonies in America, is a fresh proof of His Majesty's paternal goodness and regard for his loyal subjects in America; for from thence, it is natural to expect that His Majesty and his ministers will gain the best information of the real state and disposition of the colonies; and that their and the true interest of Great Britain will be known more readily, and pursued with greater ease, I take the liberty to congratulate Your Lordship upon your appointment to that high office; and from the reputation of Your Lordship's ability, and firm attachment to His Majesty, and to the best constitution under heaven, I have the greatest hopes, that by Your Lordship's influence, future measures will be dictated by such wisdom and moderation, as effectually to restore that harmony, affection and confidence, which, till very lately, subsisted in the most eminent degree between Great Britain and her colonies, and which is so essentially necessary to the importance and happiness of the whole empire.

I shall not fail of transmitting to Your Lordship an account of all occurrences that may happen, and all acts and proceedings in this government, of such a nature, as to demand the attention of His Majesty and his ministers; and I shall pursue the method of correspondence pointed out by Your Lordship.

I have the honor to be, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 2.]

Newport, Rhode Island, June 17, 1768.

My Lord :—In obedience to His Majesty's commands, signified to this colony, by Your Lordship's letter, of January 23d last, No. 2, I herewith transmit to Your Lordship a complete collection of the laws of this colony, to that time; and am,

With great respect, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 3.]

Newport, Rhode Island, June 17th, 1768.

My Lord :—I am honored with Your Lordship's letter of the 20th of February last, enclosing a duplicate of the address to His Majesty, from the House of Commons, of the 27th of March, 1768.

In compliance with which, I am now to inform Your Lordship, that there have been since the year 1734, set up and carried on in this colony, ten forges for making iron out of ore; two furnaces, one, for making ore into pigs; and the other, for making hollow-ware out of ore; six spermaceti works; twelve potash works; three rope-walks; and one paper mill, at which is manufactured wrapping, package and other coarse paper.

These, My Lord, are the only manufactures which have been set up in the colony since the year 1734; and neither for these nor any other manufactures, is any bounty or other public encouragement given by the colony.

I have the honor to be, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 4.]

Newport, Rhode Island, June 17, 1768.

My Lord:—This is to acknowledge the receipt of Your Lordship's letter of the 5th of March last, enclosing a copy of a report made to the lords commissioners for trade and plantations, by His Majesty's attorney and solicitor general; and to inform Your Lordship that I have laid the same before the General Assembly of this colony.

I am, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 5.]

Newport, Rhode Island, June 20th, 1768.

My Lord:—I received Your Lordship's letter of the 21st of April last, on the 17th instant, in the evening, during the sitting of the General Assembly of this colony; and the next day being the last day of the session, I communicated it to them; but as they could not then give it the consideration its importance required, they came to no resolution upon it.

I shall again lay it before the Assembly, at their next meeting by adjournment, on the second Monday in September next; and shall immediately transmit to Your Lordship an account of their proceedings.

I am, with great respect, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

Review of the Politics of Rhode Island for the last Ten Years.

[The political controversies between the principal men in the colony, of which Stephen Hopkins and Samuel Ward were the leaders, constitute so important a feature in its history, that it has been deemed worth while to present the following brief account of them, which has been taken from the Newport Mercury.]—
J. R. B.

"The rival candidates for Governor, Messrs. Samuel Ward and Stephen Hopkins, each entered the field of political opposition as early as the year 1758, at which time Hopkins was Governor. Ward came up as his opposing candidate, and had for his support, the southern interest, principally; he was the candidate

of the aristocracy, at the head of which, stood Newport; and Hopkins was as warmly supported by the democracy, at the head of which, stood the town of Providence. Hopkins obtained his re-election, and was again re-elected in the year 1759-60 and '61. Ward succeeded in 1762, and Hopkins in 1763.

During all this time, party virulence had been increasing, until one general hostility pervaded the whole colony, which raged between the friends and supporters of the two candidates. It appears to have been a question about men, more than measures. Between the mercantile and the farming interests, between the aristocracy of wealth and magnificence, and the democracy of numbers, the colony was torn by domestic discord; town against town, and neighborhood against neighborhood; and almost every freeman was enlisted in one or the other ranks, and felt towards each other that hostility which abated even the charities and hospitalities of life.

Things were in this situation, when the place of Deputy Governor became vacant, by the death of the Hon. John Gardner. This opportunity was seized by Governor Hopkins and his friends, who, at the February session, 1764, proposed for the future quiet of the colony and repose of the people, that Governor Ward should be invited to fill the place of Deputy Governor, and be elected by the General Assembly then in session.

The proposal was made to Mr. Ward, but was not accepted; who, in his turn, proposed that Governor Hopkins and himself should both relinquish their pretensions, at the spring election. The house of assistants then proposed if Mr. Ward would accept the place of Deputy Governor, one-half of the body, say five, would cheerfully give way for five others at the spring election, to be selected by Mr. Ward and his friends; and in case of such a measure being effected, then the appointment of officers by the Assembly, then at the election in May, to be from the ranks of both parties, as equally as possible.

The next day, Mr. Ward gave for answer, that those proposals could not be accepted; "that no peace could be expected, while Governor Hopkins was in the chair;" but he repeated his offer, to "resign his pretensions to the government, if Governor Hopkins would do the same."

Another proposal was then made, viz.: that if Mr. Ward would not accept the place of Deputy Governor himself, he or his friends might name another man, in Newport, to fill the place, and thereby effect the compromise.

This last proposition not having been agreed to, the Assembly proceeded, and appointed a Deputy Governor from among the political friends of Governor Hopkins, and each party prepared for another vigorous campaign.

Governor Hopkins was again re-elected in the spring of 1764; but in the following year, 1765, Governor Ward succeeded, and his party came into power, which he and they held during that and the succeeding year of 1766.

In the spring of 1767, Governor Hopkins was elected by a larger majority than had before been given for either, since the struggles first commenced, it being four hundred and fourteen. This was a signal victory, and was the last trial between those two rival candidates.

At the next October session of the Assembly, Governor Hopkins again proposed a pacification, and union of parties, as follows, viz.: "That Mr. Ward and his friends should nominate a Governor from among those in the interest of Mr. Hopkins, who were to appoint a Deputy Governor of the friends of the first named gentleman; and so on, alternately, with all the assistants; or, if Mr. Ward and

those in his interest, should decline the first nomination, His Honor, and those interested with him, will nominate a Governor from the friends of Mr. Ward, and so on, as before."

On receiving these proposals, a committee went from Newport to Providence, on the business of the compromise; and on the 29th of March, Governor Hopkins and three of his friends came to Newport, on the same business, at which time and place the treaty was concluded.

Thus the long political war, which had raged ten years, happily terminated. Both parties were heartily tired of the expense, discord and corruption which had marked its progress; besides, there were other causes operating to induce a compromise and pacification; new parties were forming; the rights of the whole country were outraged by the British Parliament. That produced a new topic of conversation, and a new division of public opinion. Some were for the supremacy of the King and Parliament over the colonies, while others boldly and fearlessly stood forth in the defence of the rights of this country; and among the latter, were both Governor Hopkins and Mr. Ward. They were both afterwards appointed to, and represented Rhode Island in the first continental congress.

The candidates agreed on, and appointed in the spring of 1768, were Josias Lyndon, for Governor, Nicholas Cooke, for Deputy Governor; and all the assistants, except two, were new men. Governor Lyndon was doubtless named by the Hopkins party, and Mr. Cooke by the Ward party, in accordance with the treaty.

Lyndon was an amiable and something of a literary character; he had been many years clerk of the court of common pleas, for the county of Newport, which place he had held undisturbed by either party. He was of mild and inoffensive manners; moderate in politics, as well as in his general deportment, and esteemed more for the negative than the positive traits of his character. He was made the instrument for that particular occasion, and held the place of Governor only one year, when, by his own consent, he left the gubernatorial chair, to resume his former office of clerk of the common pleas, which place he held until his death.

We have found a statement of the votes of 1767, in which we observe that every town north and west of Bristol and Warwick, including those two towns, gave majorities for Hopkins; and all the other towns in the colony, gave majorities for Ward."

[The] following is from a printed hand-bill, of which an original copy is preserved among the public archives of the State.]—J. R. B.

Newport, April 7, 1767.

To enable the freemen of this colony to form a true judgment of the proposals which have passed between the two parties, and to put a stop to the misrepresentations of designing people, the following true copies of the proposals, and the answers made to them, are published.

SAMUEL WARD.

East Greenwich, February 28, 1767.

Sir:—To put an end to the unhappy contentions which have so long divided this colony, and been attended with so many fatal consequences; and to restore peace and good order, are objects worthy the attention of every well wisher to the public,—

Nothing, in our opinion, will have a greater tendency to effect this most valua-

ble purpose, than a coalition of the two parties; and sincerely desirous to pursue every measure in our power to promote it, we take the liberty to propose that the upper house of Assembly, for the ensuing year, be equally divided between the two parties, in the following manner, to wit:

That we, with our friends, have the nomination of the Governor; that you, sir, with your friends, shall have the nomination of the Deputy Governor; and in the same manner, alternately, throughout all the members of the upper house; and that the other general officers for the ensuing year, remain as they are at present. If this proposal be acceded to, we have no doubt but suitable persons will be appointed on your side of the question; and we do (with the consent of our friends,) engage to use our influence that all the persons nominated, be elected.

Upon this plan, (which will remove the principal cause of the warm contentions in this colony,) only one prox will be printed; and therefore, it will be necessary that we should receive seasonable information of your agreeing to the proposal, and of the names of the gentlemen who shall be pitched upon, on your side of the question. Between this, and the 16th of next month, you will have sufficient time to take the advice of your friends; at which time, we expect to be favored with your resolutions.

We are, sir, your most humble servants,

Elisha Brown, Nicholas Easton, Gideon Wanton, Jr., Thomas Owen, Stephen Rawson, John Jepson, Nath. Searle, John Burton, Hezekiah Babcock, Othniel Gorton.

P. S. If Joseph Arnold, Esq., had been present, we have no doubt but he would have subscribed the proposal with pleasure; and we can engage for him, that he will join in the agreement, heartily.

To the Hon. Stephen Hopkins, Esq.

Providence, March 13, 1767.

Sir:—The foregoing is a copy of a letter I received from the present Deputy Governor and assistants of this colony, as a proposition for uniting parties, and settling peace in it; but whether Your Honor was made privy, and consented to these terms, I am not informed.

To the proposition made as above, I return this answer: that I and my friends will agree to it, on condition that you also retire; and your friends nominate some other person for Governor, in Newport, or elsewhere, as they think best. Some of my friends, appointed to that purpose, will wait upon Your Honor, to receive your answer.

This proposal will be directly communicated to Mr. Brown, the Deputy Governor.

I am, &c., &c.,

STEP. HOPKINS.

To the Hon. Samuel Ward, Esq.

Providence, March 13th, 1767.

Sir:—Governor Hopkins having communicated unto his friends, here in Providence, some proposals he received from the Deputy Governor, and magistrates of the colony, for establishing peace and harmony at the next general election; and as great care has been taken to consult with, and collect the sentiments of our friends on such an important affair, we, who are appointed a committee for that purpose, beg leave to communicate to Your Honor, what you may rely upon to be the unanimous opinion and determination of them; and which Your Honor will find in the following order, viz.:

That it is their opinion, that Mr. Hopkins has, from his first appointment, when chosen, filled the seat of government with honor, capacity and integrity.

That there is no other gentleman in the colony, without reflection on any one, that they think can, and will discharge the duty of Governor better than that gentleman.

That Mr. Hopkins's friends and adherents are as numerous, and are persons of as much capacity, probity and interest, as those of Mr. Ward's friends.

That Mr. Hopkins's friends have at least as good pretensions to the nomination of a Governor, as Mr. Ward's friends.

That the spirit of faction does so prevail in the colony, that there is scarcely the appearance of government remaining; there is but little security for either life, character or estate, but anarchy growing more visible every day.

That to remedy so great an evil, the cool, impartial and disinterested attention and exertion of every good man and well wisher to his country, of both parties in the colony, is absolutely necessary.

That to effect so salutary a design, 'tis proposed that both parties form a coalition upon as equal terms as possible; care being taken that the basis thereof be firm and permanent; otherwise, after all our endeavors, we shall find ourselves in as bad a situation as before.

That in order to effect such a coalition, 'tis their opinion that both Mr. Hopkins and Mr. Ward, the heads of the two contending parties in the colony, do resign and give up their pretensions as candidates for chief magistrate, or Governor.

That if Mr. Ward and his friends agree thereto, they will engage for Mr. Hopkins and his friends, that they do the same; if this is not agreed to, all future negotiation will be unnecessary. But if that is assented to, then they are willing to agree that the general officers are divided as equally as possible between the two parties. And though Mr. Hopkins and his friends claim an equal right to the nomination of Governor in chief, with Mr. Ward and his friends, yet, for the sake of peace, and preventing impending ruin, they agree that Mr. Ward and his friends shall have the nomination of the Governor in chief, and that he may reside in the town of Newport, or elsewhere; and that Mr. Hopkins and his friends, nominate a Deputy Governor, in the town of Providence, or elsewhere; that the magistrates be alternately nominated by Mr. Ward and his friends, and Mr. Hopkins and his friends; and that the other general officers stand as at present.

Sir, though some of the foregoing is not absolutely necessary in a treaty of this sort, yet, that justice may be done to Mr. Hopkins, as also, that you and your friends may be thoroughly apprized of the disposition of Mr. Hopkins's friends, and the motives from which they act on this emergency, we apprehend 'twill not be thought superfluous.

Your Honor is so well acquainted with the perplexed circumstances of this colony, and the causes from whence they chiefly originate, that if you will calmly consult the public weal, or your own honor and quiet, we make no doubt but that you will cheerfully accede to our proposals; which, if you should do, we rely upon it that some gentleman will be nominated by you and your friends, for a Governor, who will discharge that important trust with honor and general approbation.

We are, sir, your obedient humble servants,

Daniel Jenckes, Ephraim Bowen, Darius Sessions, Benjamin Cushing, Joseph Russell, Nathan Angell, Thomas Greene, Jos. Nash, Moses Brown.
To Hon. Samuel Ward, Esq.

Newport, 25th March, 1767.

Sir:—In answer to Your Honor's letter of the 18th of March, I am now to acquaint you, that the opinion of my friends hath been generally taken, and they have universally given it, that the proposals made by you, and a committee of your friends ought by no means to be acceded to. Their sentiments upon this subject, Your Honor will find very fully expressed in the letter to Mr. Jencks, and the other gentlemen, from a committee of my friends.

Sincerely disposed, as I was, to retire this spring, from the seat of government, I could not prevail upon myself to desert all my friends, and, in their opinion, the interest of the colony.

I am, sir, Your Honor's most humble servant,

SAMUEL WARD.

To Hon. Stephen Hopkins, Esq.

Newport, 25th March, 1767.

Gentlemen:—His Honor the Governor, hath communicated your letter to us.

We have maturely weighed the several proposals which have passed upon this occasion, and are of opinion that those made by His Honor the Deputy Governor, and the assistants, were fair, open and generous. They gave, in fact, a majority of the upper house to Mr. Hopkins's friends; they neither pointed at, nor excluded any gentleman, whatever, and contained no reflection upon any person or party; and if acceded to, might have had a great tendency to promote peace and good order in the government.

You, gentlemen, in your letter, have made a different set of proposals, which you tell us may be relied upon, as the unanimous opinion and determination of Mr. Hopkins's friends.

We were surprised to find a proposal from you, for uniting parties, and settling peace in the colony, conceived in such terms as to render them utterly inadmissible. They are introduced by the most lavish encomiums upon Mr. Hopkins, by comparisons, (which are always odious), between the numbers, capacity, probity and interest of his friends, and those of Mr. Ward, and with this opprobrious assertion, "That the spirit of faction does so prevail in the colony, that there is scarcely the appearance of government remaining; there being but little security for either life, character or estate, but anarchy growing more visible every day."

You must be sensible, gentlemen, that a very great part of the colony always, and for the last two years, a large majority of the freemen, have entertained a different opinion of Mr. Hopkins; and therefore the expressions made use of, with respect to that gentleman, must be looked upon as a reflection upon those who have opposed him.

After the character given of Mr. Hopkins, follows the assertion above quoted, which, considered in its connection with the foregoing resolves, in our opinion, contains the grossest reflection upon the present administration; and indeed upon the whole colony; representing them as a lawless herd, with but little security for life, character or estate.

Considered in this light only, those persons who have opposed Mr. Hopkins, and supported Mr. Ward, must forever be justified in refusing to comply with proposals made in such terms.

We are neither disposed to abuse the reputation of Mr. Hopkins, nor to offer incense to Mr. Ward; but this, justice constrains us to say: that the capacity of Mr.

Ward hath never been called in question; that he hath served the government with fidelity and honor; and that his administration hath been so equal and disinterested, that the colony will find its interest and be happy in continuing him in the chair.

Upon the whole, gentlemen, the opinion of Mr. Ward's friends, universally, is not to accede to your proposal.

We heartily lament our unhappy divisions, and sincerely wish to see the wisdom and virtue of the colony united in promoting its best interest; and are, gentlemen,

Your most humble servants,

Gideon Wanton, Abraham Redwood, John Tillinghast, Metcalfe Bowler,
Joseph Tillinghast, Nathaniel Coggeshall, John Tweedy, Robert Stevens, Edward Thurston, Jr.

To Daniel Jenckes, Esq., and others, the committee of Mr. Hopkins's friends.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday in September, 1768.

The Hon. Josias Lyndon, Governor.

The Hon. Nicholas Cooke, Deputy Governor.

It is voted and resolved, that Archibald Campbell and Henry Marchant, Esqs., be, and they are hereby, added to the committee appointed at the last session, to draw up an act of bankruptcy; that the major part of the committee may perform the said business; and that they make report to this Assembly, at the present session.

And it is further voted and resolved, that no petition for the benefit of an act of insolvency, be received by this Assembly, until a general act of bankruptcy be drawn and passed.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to issue a proclamation for the apprehending Melchisedeck Kinsman, charged with the murder of William Odgers, an officer of His Majesty's customs for the port of Penzance, in Great Britain, in the month of March last; that the description given of the said Melchisedeck Kinsman, in Mr. Stanley's letter, be inserted in the said proclamation; and that a reward of £50, lawful money, be offered therein, to

be paid out of the general treasury, to the person or persons who shall apprehend him, if taken in this province.*

It is voted and resolved, that Archibald Campbell, Esq., Mr. George Jackson and the attorney general, be, and they, or the major part of them, are hereby, appointed a committee to draw up an act to limit and restrain the issuing of writs of error; and that they make report to this Assembly at the present session.

** The Earl of Hillsborough to the Governor and Company of Rhode Island.*

No. 6.]

Whitehall, April 30, 1768.

Gentlemen :—I herewith transmit to you copies of several papers received from the lords commissioners of His Majesty's treasury, relative to the murder of William Odgers, one of the officers of His Majesty's customs, charged therein upon Melchisedeck Kinsman, who sailed about three weeks since, from Falmouth, in one of the New York packets; and I am to signify to you His Majesty's pleasure, that you take all legal methods for the apprehending of the said Kinsman, if found within your government, to the end that he may be brought to justice.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

E. Stanley to Thos. Bradshaw.

Custom House, London,

14th April, 1768.

Sir :—William Odgers, one of the officers of the customs, at the port of Penzance, in the county of Cornwall, having been lately barbarously murdered, by Melchisedeck Kinsman, and others, in endeavoring to seize and secure a large quantity of uncustomed goods; and the collector of Penryn having informed the commissioners that the said Kinsman sailed from Falmouth about three weeks since, in one of the New York packets, and hath carried off with him about £800, in cash, I am directed to acquaint you herewith; and do beg that you will move the lords commissioners of His Majesty's treasury, that orders may be sent to the several governors on the continent of America, to take such measures as may be most effectual for the apprehending of the said Melchisedeck Kinsman; for which purpose, have annexed a description of his person; and in case he should, in consequence thereof, be apprehended, that he may be sent to England, by the first safe and proper opportunity that may offer, in order to his being tried for the said offence.

I am, &c., &c.,

E. STANLEY.

To Thomas Bradshaw, Esq.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to answer the letters received from the Right Honorable the Earl of Hillsborough, respecting the obstructions the commissioners of His Majesty's customs in America complain of having met with in the execution of their offices; and inform His Lordship, that this Assembly know of no obstructions His Majesty's officers have met with in this colony.

Whereas, the committee appointed to prepare a suitable address to His Majesty, respecting the late acts of Parliament, for the sole purpose of raising a revenue in the British colonies, in America, reported a draught of a humble, dutiful and loyal address to His Majesty; which being maturely considered;—

It is voted and resolved, that the same be approved; and that His Honor the Governor be, and he is hereby, requested to cause a fair copy thereof to be made, and transmit it by the first opportunity, to the Right Honorable the Earl of Hillsborough, to be presented to His Majesty; and also a duplicate of the same, and forward it by the next opportunity.

Whereas, the committee appointed to prepare a letter to one of His Majesty's principal secretaries of state, respecting the late acts of Parliament, for the sole purpose of raising a revenue in the British colonies in America, reported a draught of a letter to the Right Honorable the Earl of Hillsborough, His Majesty's principal secretary of state, for the American department, to accompany and enclose the address to His Majesty; which being duly considered,—

It is voted and resolved, that the same be approved; and that His Honor the Governor be, and he is hereby, requested to cause a fair copy thereof, to be made, and sign and transmit the same to His Lordship by the first opportunity, and a duplicate by the next opportunity; and also a copy thereof to the agent.

[See documents at the close of the session.]

Whereas, the same committee also reported a draught of a second letter to the Earl of Hillsborough, in answer to His

Lordship's letter, respecting the circular letter from the House of Representatives of the Massachusetts Bay;* which being duly considered,—

It is voted and resolved, that the same be approved; and that His Honor the Governor be, and he is hereby, requested to cause a fair copy thereof to be made, and sign and transmit the same to His Lordship by the first opportunity, and a duplicate by the next opportunity; and also a copy thereof, to the agent.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to write and transmit answers, as soon as he can conveniently, to the following letters from the Right Honorable the Earl of Hillsborough, to wit:

No. 6, respecting the murder of William Odgers.†

“ 8, directing to write to Lord Hillsborough, only; and not to send duplicates to the board of trade.‡

“ 9, directing to write by private conveyances, as well as by the packets.§

And also to the agent's two letters.

It is voted and resolved, that His Honor the Governor be, and he is hereby, requested to send to Lord Hillsborough copies of two letters, written by the speaker of the lower house of Assembly, in November last,—one, to Mr. Secretary Conway, and the other, to the lords of the treasury,—respecting the persons who suffered in the riot in this colony, in 1765; and also, copies of the resolves of the lower house, respecting the sufferers; and also, copies of the said letters and resolves to the agent, and direct him to make further application for the money due to the colony.

God save the King.

* See page 541, for the Earl of Hillsborough's letter, of April 21st, 1768.

† Page 555. ‡ Page 558. § Page 558.

*Letters of the Earl of Hillsborough to the Governor and Company
of Rhode Island.*

No. 8.]

Whitehall, July 4th, 1768.

Gentlemen:—As His Majesty has thought fit to direct that I should give constant attendance in my place, at the board of trade, I shall not fail to lay before that board such matters, arising out of your correspondence with me, as shall appear to be necessary for their consideration; you need not, therefore, for the future, be at the trouble of transmitting to their lordships duplicates of your dispatches to my office, but confine yourself to one channel of correspondence, conformably to the spirit and intention of His Majesty's order in Council, of the 8th of August, 1766.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH

To the Governor and Company of Rhode Island.

No. 9.]

Whitehall, July 11th, 1768.

Gentlemen:—As I observe that it frequently happens, that intelligence of public transactions in the colonies is received by private persons in this city, long before any official communication of it comes to me, for His Majesty's information, I conceive this inconvenience must arise, in great measure, from His Majesty's governors not availing themselves of such casual opportunities of writing by private ships as frequently happen, but confining themselves to the channels of the packets only; for this reason, I desire that you will, for the future, send your dispatches by the first opportunity that offers, and duplicates of them by the next packet; or in case the packet shall be the first opportunity that offers, that then you will send your duplicates by the next private conveyance.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH

To the Governor and Company of Rhode Island.

No. 10.]

Whitehall, 11th July, 1768.

Gentlemen:—The commissioners of His Majesty's customs, in North America, having made further complaints of obstructions they and their officers meet with in the execution of their duty; I am commanded by His Majesty to repeat to you that it is his royal pleasure, that you do use your most strenuous efforts, and exert yourself in the most effectual manner for the support of the commissioners of the customs, and to enable them to discharge the duty of their respective offices, and carry the laws of trade and revenue into due execution.

I am, with great truth and regard, &c., &c.,

HILLSBOROUGH

To the Governor and Company of Rhode Island.

No. 11.]

Whitehall, 2d September, 1768.

Gentlemen:—The King having observed that the governors of his colonies have, upon several occasions, taken upon them to communicate to their Councils and Assemblies, either the whole or parts of letters which they have received from

His Majesty's principal secretaries of state, I have it in command from His Majesty, to signify to you, that it is His Majesty's pleasure, that you do not, upon any pretence whatever, communicate to the Assembly any copies or extracts of such letters as you shall receive from His Majesty's principal secretaries of state, unless you have His Majesty's particular directions for so doing.

I am, gentlemen, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

No. 12.]

Whitehall, 14th Sept., 1768.

Sir:—As the mail for New York will not be made up till the 5th of next month, I avail myself of the opportunity of a private conveyance, to acknowledge the receipt of your letters Nos. 1, 2, 3, 4 and 5, and to acquaint you, that I have laid them before the King, who received, in the most gracious manner, the tenders of duty and affection expressed in your letter No. 1, and is well pleased to find that the appointment of a principal secretary of state for the dispatch of the business relative to the colonies, which His Majesty intended as a fresh proof of his regard for his loyal and faithful subjects in America, is considered in so just and favorable a light. I have only to add, on my own part, that it will be the happiness of my life, as it is the principal object of my endeavors, to execute the commands of my royal master, who has nothing more at heart than to restore that harmony, affection and confidence which ought to subsist between this kingdom and the colonies; and which is only to be preserved by a just adherence to the true principles of the constitution; a deviation from which, cannot fail of opening a door to anarchy and confusion.

The zeal you express for His Majesty's service, leaves no room to doubt that you will be regular and constant in your correspondence; and I have it particularly in command from the King, to desire that the laws passed in each session of Assembly, together with the journals of their proceedings, may be transmitted to me, as soon as the session is concluded.

I am, sir, &c., &c.,

HILLSBOROUGH.

To Governor Lyndon.

The Governor of Rhode Island to the King.

Newport, September 16, 1768.

To the King's Most Excellent Majesty:

May it please Your Majesty:—With the deepest sense of loyalty to the best of sovereigns, whose peculiar glory it is to reign in the hearts of a free people, we, Your Majesty's most dutiful and affectionate subjects, the Governor and Company of the English colony of Rhode Island and Providence Plantations, in New England, in America, in General Assembly convened, beg leave, with great humility, to lay before Your Majesty a representation of our grievances, and to offer our humble supplications for redress.

Transplanted from Britain, subjects of the same King, partakers of the same happy constitution, supported and protected by her power, united with her in religion, laws, manners and language, and animated with the same sacred love of freedom, we esteem our connection with, and dependence upon, her as of the last

importance to our happiness and well being ; and it will ever be our greatest solicitude to maintain and preserve to the latest posterity, this invaluable blessing, replete with so many mutual advantages.

We would, therefore, deprecate, as the greatest of evils, every measure that may have the least tendency to loosen the bands of affection, or lead to mistrust, or want of mutual faith and confidence.

In times not friendly to the constitution, but when lawless power had almost extirpated the very appearance of liberty, our ancestors left Great Britain, their native land, and every thing that was dear, that they might secure their civil and religious rights to themselves and their posterity ; they crossed the Atlantic, and through innumerable difficulties, planted themselves in this land ; and at length, by the goodness of God, without any expense to the crown, although at much expense of their own blood and of their children's, they settled this, Your Majesty's colony. And as they brought with them, so they transmitted to their posterity, all the rights and privileges of Englishmen.

In confirmation of those rights and privileges, King Charles the Second, in the fifteenth year of his reign, granted them a charter, under the great seal of England, wherein His Majesty was pleased to grant them and their heirs, and their assigns for ever, all the land therein described, to hold of him, and his royal successors, in free and common socage, and declared that they and their posterity were, and should be, entitled to all the liberties and immunities of free and natural subjects, born within the realm of England.

Of these, the principal, and without which, the others are but of small importance, is the exclusive right of giving and granting their own money by themselves, or by their representatives. This charter, our ancestors and we have ever since enjoyed in its full extent ; the same never having been forfeited, nor any judgment passed against it. And this charter, with the rights and privileges therein contained, hath ever been recognized by the Parliament of Great Britain.

It is therefore, with the greatest concern and grief, that Your Majesty's loyal subjects in this colony, find their property given and granted by Your Majesty's Parliament, without their consent. Although we have the highest veneration for that most august body, to whom we cheerfully and readily submit, as to the supreme legislature of the whole empire, in all things consistent with the first and most fundamental rights of nature ; yet we humbly conceive that the late acts of Parliament, imposing duties and taxes upon Your Majesty's subjects, in America, not for the regulation of commerce, merely, but for the express purpose of raising a revenue ; thereby giving and granting the property of the Americans, without their consent, to be an infringement of those rights and privileges derived to us from nature, and from the British constitution, and confirmed by our charter, and the uninterrupted enjoyment of them for more than a century past.

We beg leave to assure Your Majesty, that throughout your widely extended dominions, Your Majesty hath not subjects more loyal, nor more firmly attached to your royal person, family and government, than Your Majesty's subjects in this colony. We glory in the title of the sons of Britain, and of being loyal subjects to the best of Kings. We have ever considered the interest of Great Britain as our own. And of this, the exertions of this colony upon every requisition from the crown, in the common cause, in the reign of Queen Anne, of King George the Second, of glorious memory, and in the most auspicious reign of Your Majesty, afford undeniable proofs.

It is therefore that we esteem it a peculiar hardship to be deprived of almost the only means in our power of demonstrating our loyalty to Your Majesty, and our affection to the parent state, by contributing, as freemen, to the support of Your Majesty's government, and to the welfare of the whole empire.

We pray Your Majesty to permit us to say, that the exercise of such power by the Commons of one part of Your Majesty's dominions, over their fellow subjects in other parts, must, in our opinion, tend to involve them in the greatest distress, and prove destructive to liberty, and to that harmony, good will and confidence, so necessary to the happiness of the whole.

It is with the greatest deference and humility, that we implore Your Majesty's consideration of our circumstances, and pray that Your Majesty, ever mindful of the welfare and happiness of all your subjects, however remote, will interpose and stretch forth the royal sceptre to our relief, in such manner as Your Majesty, in your great wisdom, shall see fit.

Signed at the request of the General Assembly.

JOSIAS LYNDON, Governor.

The Governor of Rhode Island to the Earl of Hillsborough, transmitting the address of the General Assembly to the King.

Newport, September 17, 1768.

My Lord :—The General Assembly of the English colony of Rhode Island and Providence Plantations, in New England in America, have taken into their most serious consideration, several late acts of Parliament, imposing duties upon certain commodities, for the express purpose of raising a revenue in the colonies; and are humbly of opinion that they have a tendency to deprive them of a privilege which the colonies have, till of late, uninterruptedly enjoyed; and which hath always been deemed essential to liberty, and a fundamental maxim of the British constitution; that is, the exclusive right of giving and granting their money themselves, or by representatives chosen by them; and that these acts, if carried into execution, will not only prove fatal to His Majesty's American subjects, but will finally be attended with consequences the most prejudicial to the interests of Great Britain.

They have, therefore, prepared an humble, dutiful and loyal address to His Majesty, praying that he would graciously interpose in their favor; which address, this Assembly request Your Lordship to present to His Majesty.

The first settlers of this colony, for the free enjoyment of their liberties, civil and religious, forsook their native land, and every other pleasure and convenience of life, and transplanted themselves into this country, then an inhospitable wilderness; and by the blessing of God, although at a vast expense of their own blood and treasure, they effected a settlement. They brought with them, and transmitted to their posterity, the invaluable rights and privileges of Englishmen, which have been confirmed to them by a royal charter, and have constantly been recognized by the King and Parliament of Great Britain.

The principal of these (and which is the only security free subjects can have for the rest,) is the sole right of levying taxes upon themselves for the service of the crown, and defraying the charges of government. This, they have never forfeited, nor hath it been called in question till of late. The Parliament of Great Britain

(in which the colonies are not, and, from their local situation, cannot be represented.) never having imposed a tax upon His Majesty's subjects in America. But at all times when His Majesty hath required this assistance, requisitions have been made to the several provincial Assemblies; with which, the colony hath ever cheerfully complied, and hath granted aids both of men and money, greatly beyond its abilities.

At the same time, My Lord, that this Assembly pleads for a right, which, in their opinion, constitutes the sole difference between free subjects and slaves, they are far, very far, from aiming at an independence of the mother country. They are firmly attached to His Majesty's person, family and government. They esteem their close connection with, and dependence upon, Great Britain, as the source of their happiness. They are also sensible of the necessity of a supreme legislature over the whole empire, who, from the nature of things, must have the power of regulating the commerce of all the parts in such a manner as best to promote the general good of the whole community; and this power, they confess, is in the Parliament of Great Britain. They venerate that august body, and look there for the stability of the constitution, and the grand security of those fundamental liberties and privileges for which they plead.

The situation of these colonies is so remote from the throne and the British Parliament, that it is greatly to be feared that, for want of knowing the true state of things, misrepresentations to the prejudice of the colonies, made by those who are disaffected to them, have been too easily received, the consequences of which, have thrown the colonies into the greatest perplexity and distress. Against the secret machinations of such, there is no possibility of guarding.

But however misrepresented and abused, this Assembly cannot avoid saying that His Majesty hath not more loyal and dutiful subjects in any part of his extensive dominions, than the inhabitants of these colonies, nor none more firmly attached to the British constitution.

This, My Lord, is a faithful representation of the sentiments and disposition of this colony; and this Assembly is verily persuaded of all the British colonies upon the continent.

Permit this Assembly, My Lord, to hope, from your knowledge of the laws and constitution of your country, founded upon the unalterable laws of nature from your own sense and love of liberty, and regard for the prosperity of the whole empire; that, in this distressed situation of America, Your Lordship will exert those talents and abilities which have rendered Your Lordship so conspicuous, and recommended you to His Majesty's service in the high station in which you are placed, in endeavoring to re-establish mutual harmony and affection between Great Britain and her colonies, by restoring to the latter the full enjoyment of those rights which are necessary to their existence as a free people.

I have the honor to be, &c., &c..

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

The Governor of Rhode Island to the Earl of Hillsborough.

Newport, September 17th, 1768.

My Lord :—In consequence of Your Lordships's letter of the 21st of April last, to this colony, enclosing a copy of a circular letter from the house of representatives of the Province of the Massachusetts Bay, to the several houses of representatives of the British colonies upon this continent, this Assembly hath again considered that letter; and upon mature deliberation, they are of opinion that it hath not any tendency to faction; that it is not calculated to inflame the minds of His Majesty's good subjects in the colonies, or to promote an unwarrantable combination, or to excite and encourage an open opposition to, and denial of the authority of Parliament, or to subvert the true principles of the constitution.

On the contrary, that letter appears to this Assembly to contain not only a just representation of our grievances, and an invitation to unite in humble, decent and loyal addresses to the throne, for redress; but also sentiments of the greatest loyalty to His Majesty, of veneration for his high court of Parliament, of attachment to the British constitution, and of affection to the mother country.

By the bill of rights, it is expressly declared, "That it is the right of the subject to petition the King; and that all commitments and prosecutions for such petitioning, are illegal." And this Assembly cannot but express great surprise and concern, that an attempt to unite fellow subjects, laboring under the same hardships, in petitioning the throne in a constitutional, humble and loyal manner, for redress, should be termed a factious and unwarrantable combination.

Nor, My Lord, can this Assembly conceive that this idea arises from any part of the letter itself, but rather from false and malicious insinuations of the temper and disposition of the colonies, made by their enemies.

Therefore, this Assembly, instead of treating that letter with any degree of contempt, think themselves obliged, in duty to themselves and to their country, to approve the sentiments contained in it.

This Assembly return their most grateful thanks to His Majesty, for his kind approbation of the loyalty of this colony; may it be their glory and felicity to continue loyal subjects to His Majesty, and to a race of Kings descended from the illustrious house of Hanover, to the latest posterity; enjoying under them, all the glorious and inestimable liberties and privileges of Englishmen, transmitted to us by our ancestors.

I am, with great truth and regard, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

The Governor of Rhode Island to Joseph Sherwood, Agent of the Colony, in London.

Newport, Rhode Island, September 26th, 1768.

Sir :—Your letters of the 21st March, and the 2d of July last, I have received.

I thank you for your congratulation upon my appointment to the office of Governor.

You have, enclosed, copies of an address to His Majesty, and of two letters to the

Earl of Hillsborough. By these, you will know the sentiments of the General Assembly upon the late acts of Parliament for raising a revenue upon the free inhabitants of the colonies, without their consent. They look upon them as incompatible with their rights, and with their existence as a free people; and they have no doubt but that you will exert your utmost endeavors to obtain a repeal of those acts.

With regard to the complaint of the King's ministers, that they receive no advices from this colony, I am to inform you, that for the future, the colony will keep up a regular and exact correspondence with them, and you will hear no further complaints upon that head.

At the request of the General Assembly, I shall very soon write you, respecting the demand the colony hath upon the crown, for stores supplied the King's magazines in the year 1756.

Your bill in favor of Mr. Harrison, is not yet accepted. The reason, I believe, is, because you have not transmitted your accounts with the colony, since August 1764. I therefore recommend it to you, to forward them as soon as possible; and as the colony hath always been disposed to make you a generous allowance, you may safely rely upon an adequate reward for your services.

I am, with great regard, sir, &c., &c.,

JOSIAS LYNDON.

To Joseph Sherwood, Esq,

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday in October, 1768.

The Hon. Josias Lyndon, Governor.

The Hon. Nicholas Cooke, Deputy Governor.

It is voted and resolved, that Thomas Ninegret, sachem of the Narragansett tribe of Indians, in conjunction with five of his councillors, be allowed to sign, and in common form to execute a deed or deeds, to any person or persons, of so much land, belonging to him and his said tribe, as will be sufficient to pay and discharge all his debts, as settled and allowed by the committee of this Assembly, in the October session, in the year 1767; thereby conveying to said purchaser or purchasers, an estate in fee simple; that as well the quantity of land so to be conveyed, be allowed by said committee, as also that the said committee do approve of the conveyances, by signing

said deeds, certifying under their hands, that they approve of the same.

And it is the design and intent of this Assembly, that none of those lands may be taken, sold and disposed of by the aforesaid sachem and his councillors, that are in the actual possession and under the particular separate improvement of any particular Indian or Indians, which they hold and use as their private parts or possession.

And it is further voted and resolved, that the said committee, or the major part of them, be, and they are hereby, authorized and empowered to take and receive all further claims and demands of debts which were contracted before the October session of the Assembly, in the year 1767, or from any of the creditors of the said sachem, within one month after the rising of this Assembly and not after.

And also said committee is hereby empowered to take and receive of and from the purchaser or purchasers of said lands, to be sold, as aforesaid, all and every sum and sums of money arising from the sale thereof, to and for the use of the said creditors of said sachem; and to pay said creditors their respective debts; therewith taking full discharges therefor, from each creditor for his respective debt or debts; and that the said committee be paid for their trouble out of said money rising from said sale, as this Assembly shall hereafter direct and order; and the said committee render an account of their doings thereon, to this Assembly.

It is voted and resolved, that the committee now appointed to correct the rolls of the estimate, be, and they are hereby, directed to meet at Newport, for beginning said business, within ten days after the rising of this Assembly; that any town in the colony, may, if they please, send one or more persons to the county town, to confer with the said committee, and to point out to them all such errors as are made in the estimate of such town; that the committee give due notice to each town in the respective counties, of the time they shall meet at the county town, and be ready to hear the person so appointed; that the members of the lower house, immediately after the rising of

this Assembly, give information to their respective towns hereof; and that the charge of the persons appointed to confer with the said committee, and of all persons summoning and summoned, be defrayed by the towns to which they respectively belong.

God save the King.

Public Acts passed during the year 1768.

[The following laws will be found at length in the printed "Schedules," or acts and resolves of the General Assembly, for the year 1768.]

An Act empowering the commissioners or assignees in commissions, and acts of bankruptcy, to examine persons on oath, respecting the estate of the bankrupt. (February.)

An Act further regulating appeals to the King in Council. (February.)

An Act empowering town councils to take into their possession and care, the estates of persons who die, without leaving any heir or legal representative in the colony. (June.)

An Act to amend an act entitled "An act establishing proceedings and trials in civil actions, not exceeding forty shillings, brought before justices of the peace." (June.)

An Act empowering justices of the court of common pleas, to discharge prisoners and others, who have had, or shall have, extended to them the benefit of the insolvent act. (June.)

An Act in addition to an act, entitled "An act for regulating the light house." (June.)

An Act to prevent shooting with guns and pistols across highways. (September.)

Letters from the Governor of Rhode Island to the Earl of Hillsborough.

No. 8.]

Newport, Rhode Island, October 3d, 1768.

My Lord :—Your Lordship's letter of the 30th of April last, signifying His Majesty's pleasure that all legal methods should be taken for the apprehension of Melchisedeck Kinsman, if found in this colony, I have received, and laid before the General Assembly; who requested me to issue a proclamation, calling upon all the officers in the colony to use their utmost endeavors to apprehend the said Melchisedeck Kinsman; and offering a reward of £50, lawful money, to any person or persons, who should take and convey him to either of His Majesty's jails in this colony; which request I immediately complied with.

I am, with great respect, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 9.]

Newport, Rhode Island, October 3, 1768.

My Lord :—I acknowledge the receipt of Your Lordship's letter of July 4th last, advising me, that for the future, I need not transmit to the board of trade, duplicates of my dispatches to your office, but confine myself to that channel of correspondence, and of which I shall take due notice, and govern myself accordingly.

I have the honor to be, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 10.]

Newport, Rhode Island, October 3, 1768.

My Lord :—I have received Your Lordship's letter of the 11th July last, and in conformity thereto, I shall forward my dispatches to Your Lordship, by the first opportunity, and duplicates of them by the next packet; or if the packet shall be the first opportunity, I shall send duplicates by the next private conveyance.

colony.

I am, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 11.]

Newport, Rhode Island, October 3, 1768.

My Lord :—I have laid before the General Assembly, Your Lordship's two letters of May 14 and July 11, informing the colony that the commissioners of His Majesty's customs in North America, have made complaints of obstructions they and their officers meet with in the execution of their duty.

At the request of the General Assembly, I now inform Your Lordship that they know of no obstruction that any of His Majesty's officers here, have met with in this colony.

I am, with great respect, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

No. 12.]

Newport, Rhode Island, October 3d, 1768.

My Lord :—At the request of the General Assembly, I now enclose Your Lordship copies of two letters written in November last, by the speaker of the lower house of Assembly; one, to the lords of the treasury; the other, to Mr. Secretary Conway; and copies of the votes of the lower house, and of the General Assembly, relating to the making compensation to those persons who were sufferers in the riots in this colony, in the year 1765.

To these letters, no answer hath been received by the colony. Your Lordship will perceive by these copies, in what manner the General Assembly have conducted themselves in consequence of His Majesty's recommendation of the sufferers. And I am now to inform Your Lordship, that the reasonable requisition of the General Assembly hath not yet been complied with.

This colony, My Lord, in the year 1756, delivered into the King's magazines, warlike stores and provisions, which cost them upwards of £4,200, sterling. After every deduction that could be made, this demand was reduced to less than £2,700.

And to this time, (which is twelve years since the several articles were delivered,) the colony hath not received one farthing even of the money confessed to be honestly and justly due; although, till very lately, no other reason was assigned

for withholding payment, but that the accounts were not laid before the proper officer till after the accounts for that campaign were closed.

I have no doubt but Your Lordship will make a proper inquiry into this affair, and, upon a due consideration, be convinced that the colony hath suffered a real and unmerited hardship; and in behalf of the colony, I request Your Lordship's influence to procure the payment of this money, which hath been so long detained.

I have the honor to be, &c., &c.,

JOSIAS LYNDON.

To the Right Honorable the Earl of Hillsborough.

Metcalf Bowler, Speaker of the Assembly, to the Lords Commissioners of the Treasury, relative to the Riot in Newport, in 1756.

Newport, Rhode Island, November 14th, 1767.

My Lords:—The lower house of Assembly, having been informed by Mr. Agent Sherwood, that the money due from the crown to the colony for the campaign, in the year 1756, was stopped by Your Lordships, upon account that no compensation had been made, agreeably to His Majesty's royal recommendation, to those persons who suffered by the riot in the year 1765, requested me to transmit to Your Lordships copies of the votes and resolves passed by the House and the General Assembly, respecting those gentlemen. Accordingly, I have now the honor of enclosing Your Lordships copies of those votes.

I beg Your Lordships' permission also to relate the conduct of the General Assembly upon this occasion; by which, it will appear, that they have been always ready to pay obedience to His Majesty's recommendation.

In December last, petitions were presented to the Assembly, by Doctor Moffatt, Mr. Johnston and Mr. Howard, (by his attorney, in his behalf,) which were referred to the next session, February, following; no accounts being then laid before the Assembly, the petitions were further referred to the May session; at which time, Doctor Moffatt presented a general account. But that session, being, by our charter, appointed for the choice of all civil and military officers in the colony, the Assembly did not enter upon the consideration of it.

But, at the June session, upon examining the Doctor's account, the lower House, finding that the same consisted only of general charges, without any particulars of his loss, ordered that the sufferers should deliver in, upon oath, an account of the particular articles they had lost; and this they were induced to require and insist upon, because they had certain information that a very great part of the Doctor's furniture, books, &c., had been saved; some of which was received by his attorney, and the remainder was in the care of persons who were ready to deliver them whenever called for; all which articles were by him deemed as a total loss, and as such charged in his account, at a most extravagant rate.

In August, following, Mr. Johnston and Mr. Howard presented their accounts, which were couched in the same general terms as Doctor Moffatt's, and the damages exaggerated beyond all proportion, above their real losses.

Upon this, the General Assembly passed a vote of the same nature with the above mentioned vote of the lower House. And thus this affair hath rested; the petitioners having never complied with this most reasonable requisition of the Gen-

eral Assembly; which if they had done, their accounts might have been fairly examined, their losses justly ascertained, and compensation accordingly ordered.

I flatter myself, Your Lordships, by this time, are convinced that the General Assembly have been willing to pay the most ready obedience to His Majesty's recommendation; and that the only obstacles that have prevented it, have been thrown in the way by the sufferers themselves.

I have now only to request that Your Lordships would order payment of the money due to the colony; and beg leave just to observe to Your Lordships, that this colony hath met with a most peculiar hardship respecting the non-payment of it, when every other colony and government received pay ten years ago, for the stores supplied the King's magazines at the same time. In fact, My Lords, the several articles charged in the accounts, cost this colony in the year 1756, above £4,200, sterling; and upon one account or another, the demand hath been liquidated to less than £2,700; and the detention of the money hath been more grievous to this loyal, but unhappy colony, because of the heavy debt they contracted, by exerting themselves in the most extraordinary manner for His Majesty's service in the last war; for a great part of which, they have paid a compound interest at ten per cent. per annum, from that time to this day; and still labor under the weight of heavy taxes to discharge the remainder.

I have the honor to be, &c., &c.,

METCALFE BOWLER.

To the Right Honorable the Lords Commissioners for executing the office of Lord High Treasurer of Great Britain.

Metcalfe Bowler, Speaker of the House of Representatives of the General Assembly of Rhode Island, to Secretary Conway.

Newport, Rhode Island, November 14th, 1767.

Sir:—Agreeably to the request of the lower House of Assembly, held at South Kingstown, on the last Wednesday in October last, I have now the honor of transmitting to you, sir, copies of the votes and resolves passed by that House, respecting the granting compensation to those gentlemen who suffered by the riot in Newport, in August, 1765, for the losses and damages they sustained.

I must beg leave, sir, to inform you, that in December last, the first application was made to the General Assembly, by the sufferers, who presented petitions for compensation, which were referred to the next session, in February following; at which session, the petitioners laid no accounts of their losses and damage before the Assembly, and the petitions, with the other business, were referred to their next session, in May following, when Doctor Moffatt presented a general account of his losses and damages; which proving not satisfactory to the House, they directed that the sufferers should lay before the General Assembly a particular account, upon oath, specifying the several articles of which their losses and damages consisted, so that their accounts might be fairly examined, their losses justly ascertained, and compensation accordingly granted.

This, the lower House of Assembly were induced to require and insist upon, because the accounts offered by the Doctor, contained only a demand in gross, without particularizing the damages and losses therein, said to be sustained; and the House had no undoubted information that great part of his furniture,

books, &c., had been saved, a considerable portion of which, had already been delivered to his attorney, and the remainder was in the care of persons who were ready to deliver them when called for; all which articles in the account exhibited to the House, were deemed as total losses, and estimated at a most extravagant rate.

And in this situation, the affair rested until the Assembly met again on the last Monday in August following; when Mr. Howard and Mr. Johnston presented accounts of their losses and damages conceived in the same general terms as the Doctor's; and in the opinion of the General Assembly, their damages therein estimated at a rate higher (beyond all proportion,) than the real losses they suffered.

Upon this, the General Assembly passed the same vote as was resolved at June session, in the lower House; nor did this Assembly apprehend they inflicted any hardship, or required any thing difficult from these gentlemen, as they were persons of no extensive fortunes, and but small families, and could most certainly with the greatest ease, give an account of every article of any consequence, they lost; especially as the same demand had previously been made by the government of the Massachusetts, of their sufferers, and was cheerfully complied with, even by the present Governor, whose single loss exceeded the whole of these gentlemen.

From this relation, sir, which, you may rely upon, is exactly agreeable to truth. it will appear that the legislative body of this colony hath been always willing to pay obedience to the royal recommendation of His Majesty; and that the sole reason why compensation hath not been made to the sufferers, is their obstinacy in refusing to comply with the reasonable demand of the General Assembly.

The House being informed by Mr. Agent Sherwood's letter of the 17th August last, that the money due from the crown, to the colony was detained, and payment thereof postponed by the lords of the treasury, on account of their not having received intelligence of the colony's having made compensation to the sufferers; they therefore flatter themselves, after this fair and impartial representation, His Majesty and his ministry will be convinced that the colony has not ever hesitated to comply with the royal recommendation, but have done every thing in their power, consistent with justice to themselves and their constituents, relative to the making compensation to the sufferers; and that His Majesty will be graciously pleased to order payment of the money that has been so long due, and unfortunately detained by many unforeseen events, to the great prejudice of this unhappy and distressed colony, which still groans under a heavy burden of taxes incurred by a cheerful contribution (beyond their abilities,) towards the support of His Majesty's arms in North America, during the last war.

The high sense the House entertains of the uprightness and integrity of your administration, and benevolent patronage of North America, induces them to hope every thing, sir, from your kind influence and representation of their conduct in this affair; and that you may long continue to enjoy the approbation and favor of your sovereign, and the affection of a grateful people, is the sincere desire of this colony; and particularly of him, who has the honor to subscribe himself,

Your Honor's very devoted and obedient servant,

METCALFE BOWLER, Speaker.

To the Right Honorable Henry Seymour Conway,
Secretary of State for the colonies.

*Letters of the Earl of Hillsborough to the Governor and Company
of Rhode Island.*

No. 13.]

Whitehall, November 15th, 1768.

Sir:—Your two letters to me, dated the 17th September, and signed by you, at the request of the General Assembly of Rhode Island, have been received and laid before the King, together with the address of the Assembly enclosed in one of them.

The King having commanded me to read this address to him, and having well weighed the contents and purport thereof, has ordered me to signify to you, for the information of the General Assembly, that His Majesty does not approve thereof; and that though His Majesty will ever be ready to hear and redress every real grievance that may be complained of by his subjects in Rhode Island, in a language corresponding with the principles of the constitution, yet His Majesty holds himself bound by every tie of regard for the welfare and interest of the whole community, to reject any petition or address founded upon claims and pretensions inconsistent with the authority of the supreme legislature over all the British empire, which authority His Majesty is resolved to preserve and support entire and inviolate.

The enclosed addresses of both Houses of Parliament, in answer to His Majesty's speech, upon the opening of the session on the 8th instant, will show you that their sentiments do entirely concur with those of His Majesty. These addresses passed, in one House, *nemine contradicente*, and in the other House without a division; and therefore, there is just ground to hope that this unanimity will have the effect to defeat and disappoint the wicked views of those men, who seek to create disunion and disaffection between Great Britain and her colonies; and convince all real friends to the interests of both, that His Majesty and his Parliament have nothing more at heart, than the happiness and welfare of all his subjects; and are disposed to give to the colonies every encouragement and advantage consistent with their constitutional dependence upon the realm of England.

I have the pleasure to acquaint you that the Queen was happily brought to bed of a princess, on Tuesday last, and that both Her Majesty and the young princess are as well as can be desired.

I most heartily congratulate you upon this increase of the royal family; an event that affords the greatest satisfaction to all His Majesty's subjects.

I am, sir, &c., &c.,

HILLSBOROUGH.

To the Governor of Rhode Island.

*Joseph Sherwood, Agent for the Colony, in London, to the Governor
of Rhode Island.*

London, 8th December, 1768.

Esteemed Friend:—Thy favor of 26th September and 3d October, I received, with the copies of petition to the King, letters, &c.; the originals of which, will be laid before both houses of Parliament, among other American papers.

I duly observe the sentiments which our government, in common with almost

all the rest of the American colonies entertain in respect to the late American revenue acts.

I shall, with diligence and zeal, use my endeavors according to the best of my judgment and ability, for the repeal of those acts; but I fear the behaviour of some people in your neighboring province, will be so far resented, as to prevent any good effects being immediately produced by the endeavors of your friends. I mean, that this government will not, at present, think it consistent with their dignity to repeal those acts, lest such a measure should be construed into a silent acknowledgment that they are not able to carry their acts into execution.

I had the honor, yesterday, in company with several other of the American agents, to attend one of His Majesty's ministers, on occasion of the present American business. We learnt from him, that the legislature are determined not to repeal those acts for the present, but to enforce the execution of them; yet, such enforcement is intended to be executed with lenity and mildness, if it can; but at all events, the execution of those acts will at present be enforced, according to the best information we can get.

I shall make the proper use of the copies of the votes of Assembly, relating to the demands of Dr. Moffatt, &c., and shall continue my application for the reimbursement, with diligence and vigor.

To-morrow, the House of Lords, by appointment, take the American affairs into consideration; but, forasmuch as there are many contested elections in agitation, and other business before the Houses, and as it will be a matter of deliberation, it is expected that the Parliament will come to no resolutions respecting American business, till after Christmas.

I purpose shortly, to send my account with the colony; and

Am, with great respect, &c., &c.,

JOSEPH SHERWOOD.

To the Governor of Rhode Island.

*The Earl of Hillsborough to the Governor and Company of
Rhode Island.*

No. 14.]

Whitehall, December the 10th, 1768.

Sir:—Your letters Nos. 8, 9, 10 and 11, have been received, and duly laid before the King; and I have nothing in command to signify to you, but that His Majesty learns with great satisfaction, that his commissioners and officers of the customs have met with no obstruction in the performance of their duty in his colony of Rhode Island.

I have also received your letter No. 12, with the enclosures, and will not fail immediately to make the strictest inquiry I can, into the matter you therein recommend to my attention; and I desire you to assure the General Court of my wish upon this, and every other occasion, to evince my real disposition to promote the welfare and service of His Majesty's colony of Rhode Island.

I am, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, on the last Monday in February, 1769.

The Hon. Josias Lyndon, Governor.

The Hon. Nicholas Cooke, Deputy Governor.

Whereas, the church wardens, vestry and congregation of Trinity Church, in Newport, preferred a petition unto this Assembly, and, for the reasons therein assigned, prayed this Assembly to pass an act, to incorporate them into a body politic, by the name of the Minister, Church Wardens, Vestry and Congregation of Trinity Church, in Newport, with full power to make and ordain all such laws, rules and ordinances, as they, or the major part of them, shall agree to, for the better regulating the affairs of said church, and to grant them a charter, accordingly ; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that the said petition be, and the same is hereby, granted ; that the church wardens, vestry and congregation of Trinity Church, in Newport, be incorporated into a body politic, and empowered to make any laws or rules for the better regulating of the affairs of said church ; provided, that such laws and rules be not repugnant to any laws of this colony ; and that His Honor the Governor be, and he is hereby, requested to cause a fair copy of the form of a charter presented with the said petition, to be made, and to sign the same, and cause the colony seal to be thereto affixed.

Whereas, the Hon. Stephen Hopkins, Esq., and Messrs. Nicholas Brown, Joseph Brown, John Brown, Moses Brown, Jabez Bowen, Jr. and Rufus Hopkins, all of Providence, preferred a petition, and represented unto this Assembly, that they have, at a vast expense, purchased a bank of ore, and erected a large furnace

for making pig metal, upon a branch of Pawtuxet River, in Scituate; and have, moreover, for the accommodating their works, purchased great tracts of wood land about said furnace, made roads, and been at great charge otherwise, for carrying on the said business; that the pigs made there, have succeeded so well, that they propose to keep the furnace blowing as steadily as may be; but find they are like to be obstructed therein, from the 21st day of April, to the 1st of June, annually, by the operation of an act of this colony, made in the year 1735, to prevent the fish from being hindered in their courses up the fresh rivers; that the nature of their works, and the process of the business is such, that while the furnace is in blast, it will not be possible for them to leave and keep open such a way through the dam for the fish to pass, as the law requires; that the inconsiderable fishery above the furnace, at a season when the labor of the people is most needful, will not, in any measure, equal the advantages which must be derived to the community, by the carrying on so large and so useful a manufacture; and that if they be held to said law, it will be the utmost detriment to them, as the spring season is the best to begin a blast, and will prevent carrying it into the winter season; and thereupon, they prayed this Assembly, that notwithstanding said law, or any clause thereof, they may be permitted to keep their furnace going at any season, without being obliged to leave or keep open any way for the fish to pass through the dam; on consideration whereof,—

Be it enacted by this General Assembly, and by the authority thereof, it is enacted, that the prayer of the petitioners, in the foregoing petition, be, and the same is hereby, granted.

Upon the petition of Thomas Ninegret, sachem of the Narragansett tribe of Indians, and six of his council,—

It is voted and resolved, that Joseph Hazard, Daniel Coggeshall, James Helme, Sylvester Robinson and Freeman Perry, Esqs., be, and they, or the major part of them, are hereby, appointed a committee, to complete the settling of the accounts of Thomas Ninegret, sachem of the Narragansett tribe of Indians, in this colony, with the assistance of five of his coun-

cil ; and to sell and dispose of so much of the Indian land, as will be sufficient to discharge his just debts ; that therein they follow the directions and orders of this Assembly, as contained in the votes of the General Assembly, relating to said matters, at their session in October, 1767, and October, 1768, with this addition, that they immediately proceed upon that business, and complete the same within three months after the rising of this Assembly ; and that they have as full power therein, and the same allowance therefor, as the committee appointed by said votes heretofore made and passed.

Whereas, divers of the inhabitants, of the town of Warwick, preferred a petition, and represented unto this Assembly, that the great bridge over Pawtuxet River, in said town, known by the name of Nachecot Bridge, was some time past, by a great flood, moved to some distance down the stream, that the timbers are very rotten, and said bridge is now in so ruinous a condition, that it is impassable with safety ; that although the said bridge is very commodious to said town, in general, as well as to the neighboring parts, and to travellers, yet (there being so many other bridges maintained by said town,) the inhabitants of said town in general, are discouraged from contributing to repair or re-build said bridge ; and thereupon, they prayed this Assembly, to grant them a lottery, to raise a sufficient sum of money to build said bridge anew ; and that Benjamin Arnold, Esq. and Mr. Thomas Holden, both of Warwick, and Thomas Potter, Esq., of Cranston, be appointed the directors and managers of said lottery ; which was granted.

Whereas, Messrs. Gideon Sisson, Joseph Hammond, Jr., William Stevens, Daniel Dunham, Thomas George, Martin Howard, Thomas Greene, in behalf of Mrs. Turner, Jonathan Marsh, Jr., Philip Wanton, in behalf of Mary Rodman, John Collins, Matthew Rights, in behalf of Thomas Durfee and Robert Lillibridge, and Mrs. Mary Carr, proprietors of the Long Wharf, in Newport, preferred a petition, and represented unto this Assembly, that, by their agreement with the town of Newport, long since made, they are under covenant for building the said wharf, a further distance of one hundred and seventy feet beyond what is already completed ; that there is great necessity for the said wharf's being paved from Thames street to the draw-bridge, that part being much used and improved as a public street, and being extremely miry and inconvenient for foot passengers ; that the proprietors have suffered in their estates there, by unexpected high tides, by which the wharf hath been made ruinous and laid waste, and by fire, in the destruction of their warehouses and effects, to the amount of more than \$4,000 ; whereby, they are rendered unable to perform their covenant and agreement with said town ; and thereupon, they prayed this Assembly to grant them a lottery for raising the sum of £1,350, lawful money, to be raised in different classes, as will be most conducive to effect the same ; that the money so raised, be applied to the further building out the said wharf, and paving the same, the aforementioned distance ; and that the said proprietors may be the directors of the said lottery ; on consideration whereof,—

It is voted and resolved that the foregoing petition be, and the same is hereby, granted ; that the major part of the directors have power to act, they giving bond for the faithful performance of the trust reposed in them, in the usual manner, and saving the colony from all cost ; and that they complete the said pavement, out of the moneys which shall be raised by the said lottery, before they proceed to the further building out the wharf.

It is voted and resolved, that the secretary, Mr. William Richardson and Henry Marchant, Esq., be, and they are here-

by, appointed a committee to draught answers to the Earl of Hillsborough's three letters to this colony, to wit: No. 11,* No. 12 and No. 13 ;† and that they lay said draughts before this Assembly at the next session.

Whereas, Thomas Steere, Ephraim Congdon, William Redwood, Joseph Congdon and Thomas Hazard, son of Robert, in behalf, and by appointment of the Quarterly Meeting of Friends, held at Portsmouth, on Rhode Island, in October last, preferred a petition to this Assembly ; and, for the reasons therein assigned, prayed this Assembly to pass an act to prevent the selling of liquors, and the playing at any games, &c, on the days and near the places where the General Meeting of Friends are annually held for religious worship ; and the said petition being duly considered,—

It is voted and resolved, that the same be, and hereby is, granted ; and that the bill presented with the said petition, pass into an act of this Assembly.

An Act prohibiting the sale of liquors, and for preventing sports, plays and recreations, on the days and near the places where the Friends hold their General Meeting for worship, in this colony.

Whereas, many vain and disorderly persons, negroes, tawnies, and others, have of late years met together, on the days, and near several of the places, where the General Meetings of the people called Quakers, are annually held, for religious worship ; some of whom, being thus met, expose to sale, beer, cakes and spirituous liquor ; others, buy, run horses, play at quoits, and are engaged in other games, sports and recreations, whereby unguarded youth and light people are induced to withdraw from said religious meetings, and join in the disorderly practices aforesaid, to the great dishonor of the Christian religion, as well as the disquieting said meetings, spreading of vice and immorality, and threatening the destruction of peaceable government ; for the preventing whereof,—

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that whoever shall, from and after the 20th day of May next ensuing, sell cakes, beer, cider, rum, or any other spirituous liquor, by retail; or shall run horses, play at quoits, wrestle or be exercised in other games, plays, sports or recreations, in the highway, yard or field, on either of the days, and within the distance of four miles from the place or places where such meeting or meetings, for religious worship, shall be held, (excepting in the towns of Newport and Providence, where the distance shall be one mile,) shall, for every such offence, forfeit and pay the penalty of twenty shillings; the one half to the informer, and the other half to and for the use of the town where such offence shall be committed, to be recovered upon complaint thereof, made before any one assistant, justice of the peace, or warden of the town, where the offence shall be committed; together with the reasonable charges accruing thereon; but if the offender or offenders shall be a slave or slaves, the owner or owners shall pay the same; and if the owner or owners of such slave or slaves, shall refuse so to do, that then such assistant, justice, or warden, shall grant forth a warrant of distress to the town sergeant, or a constable of said town, to distrain so much of his or their goods, as shall satisfy and pay the same.

Provided nevertheless, and be it further enacted by the authority aforesaid, that this act shall not be construed to extend to, or operate against, persons duly licensed, who shall sell spirituous liquors in their own houses; nor persons who shall sell cakes and other refreshments in their own houses.

God save the King.

The Earl of Hillsborough to the Governor and Company of Rhode Island.

No. 15.]

Whitehall, February 20th, 1769.

Sir:—Your letter to me, No. 12, the receipt of which I have already acknowledged, has been laid before the King, together with the papers enclosed and referred to in it; and I have received His Majesty's commands to transmit a copy of this letter, and also copies of the enclosures, to the lords commissioners of His Maj-

esty's treasury, who, I find upon inquiry, have already had the subject matter of them under their consideration.

It is necessary, however, I should acquaint you, that I have very lately received a letter from Dr. Moffatt, upon the subject of the compensation due to him from your colony; and, as he alleges that the Assembly have again declined making that compensation, notwithstanding he laid before them an account of his losses, regularly attested, upon oath, I have thought fit that a copy of his letter should accompany to the treasury board the copy of what you write upon that subject, to the end that their lordships may have the whole matter fully before them; and that, after I shall be acquainted with their lordships' opinion thereupon, I may receive His Majesty's commands for such further steps as it may be thought advisable to take.

I am, with great regard, &c., &c.,

HILLSBOROUGH

To Governor Lyndon.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1769.

The Hon. Josias Lyndon, Governor.

The Hon. Nicholas Cooke, Deputy Governor.

The following officers, declared elected, were duly engaged:

The Hon. Joseph Wanton, Governor.

The Hon. Darius Sessions, Deputy Governor.

ASSISTANTS.

Mr. Peleg Thurston,

Mr. Job Bennett,

Mr. Solomon Drown,

Mr. David Harris,

Mr. Weston Hix,

Mr. Thomas Wickes,

Mr. Jonathan Randall,

Mr. John Congdon,

Mr. Joseph Hazard,

Mr. William Richmond, Jr.

DEPUTIES.

Newport.

Mr. Nicholas Easton,

Mr. John Wanton,

Mr. George Hazard,

Capt. Samuel Carr,

Capt. William Read,

Mr. Thomas Freebody.

Providence.

Mr. Daniel Jenckes,
Mr. Moses Brown,
Mr. Benoni Pearce,
Mr. Job Smith.

Portsmouth.

Mr. Metcalfe Bowler,
Mr. Benjamin Hall,
Mr. Jeremiah Lawton,
Mr. John Almy.

Warwick.

Mr. Philip Greene,
Col. James Arnold,
Mr. Stephen Arnold,
Mr. Thomas Rice.

Westerly.

Capt. Edward Saunders,
Mr. Joseph Clarke, Jr.

New Shoreham.

Mr. Paul Niles.

North Kingstown.

Mr. Ezekiel Gardner,
Mr. John Northup.

South Kingstown.

Mr. William Potter,
Mr. Stephen Hazard.

East Greenwich.

Maj. Preserved Pierce,
Mr. William Pierce.

Jamestown.

Mr. Oliver Haszard,
Capt. William Haszard.

Smithfield.

Mr. Caleb Aldrich,
Mr. Daniel Mowrey, Jr.

Scituate.

Mr. Job Randall,
Mr. Benjamin Slack.

Glocester.

Mr. Thomas Owen,
Major Rufus Smith.

Charlestown.

Mr. Gideon Hoxie,
Mr. Job Taylor.

West Greenwich.

Mr. Benjamin Tillinghast,
Mr. Isaac Johnston.

Coventry.

Mr. Stephen Potter,
Mr. John Rice.

Exeter.

Mr. Daniel Barber,
Mr. Daniel Sunderlin.

Middletown.

Mr. John Barker,
Mr. Thomas Coggeshall.

Bristol.

Col. Simeon Potter,
Mr. William Bradford.

Tiverton.

Mr. Samuel Durfee,
Mr. William Cooke.

Little Compton.

Mr. Thomas Church,
Mr. Nathaniel Searle, Jr.

Warren.

Mr. Cromel Child,
Major Samuel Allen.

Cumberland.

Mr. Jeremiah Whipple,
Mr. David Brown.

DEPUTIES.

Richmond.

Mr. Edward Perry,
Mr. Joshua Clarke.

Cranston.

Mr. Gideon Comstock,
Capt. Richard Searle.

Hopkinton.

Mr. Thomas Wells, Jr.,
Mr. Abel Tanner.

Johnston.

Mr. Henry Harris,
Mr. Abraham Belknap.

North Providence.

Mr. Thomas Olney,
Mr. Job Olney.

The Hon. Metcalfe Bowler, speaker ; Mr. Wm. Ellery, clerk.

Mr. Henry Ward, secretary.

Mr. Oliver Arnold, attorney general.

Mr. Joseph Clarke, general treasurer.

James Helme, Esq., chief justice of the superior court of judicature, court of assize and general jail delivery.

SHERIFFS OF THE SEVERAL COUNTIES.

Newport county, Mr. Walter Chaloner. Providence county, Mr. Paul Tew. Kings county, Mr. Beriah Brown. Bristol county, Mr. Richard Smith. Kent county, Mr. Henry Rice.

FIELD OFFICERS OF THE SEVERAL COUNTIES.

Newport county, Benjamin Sherburne, Esq., colonel; William Cooke, Esq., of Portsmouth, lieutenant colonel; Isaac Dayton, Esq., major.

Providence county, Knight Dexter, Esq., colonel; Abraham Winsor, lieutenant colonel; Chadd Brown, Esq., major.

Kings county, John Crandall, Esq., colonel; Moses Barber, Esq., lieutenant colonel; Sylvester Gardiner, Esq., major.

Bristol county, Simeon Potter, Esq., colonel; Samuel Allen, 2d, lieutenant colonel; John Waldron, Esq., major.

Kent county, John Waterman, Esq., colonel ; James Arnold, son of Elisha, Esq., lieutenant colonel ; William Matteson, Esq., major.

Whereas, the committee, appointed at the last session, to prepare draughts of answers to the Earl of Hillsborough's letters to this colony, No. 11, No. 12 and No. 13, have laid the same before this Assembly ; which being duly considered,—

It is voted and resolved, that the said draughts be approved ; and that His Honor the Governor be, and he is hereby, requested to cause fair copies thereof to be made, and sign and transmit the same to His Lordship, by the first opportunity.

It is voted and resolved, that George Hazard, Esq., Mr. Moses Brown, John Mawdfley, Esq., Henry Marchant, Esq., and the secretary, be, and they, or the major part of them, are hereby, appointed a committee, to examine into the proceedings of the General Assembly respecting the sufferers by the riots in Newport, in August, 1765 ; and to inquire what part of their goods were saved, and received by them, or any person in their behalf ; and that the said committee be, and they are hereby, empowered to call any person before them, and examine them upon oath, respecting the saving of any of their goods.

And it is further voted and resolved, that the said committee draught a letter in answer to the Earl of Hillsborough's letter, No. 15, written to the colony, in consequence of the misrepresentations made by Doctor Thomas Moffatt, to His Lordship, of the proceedings of this government, respecting his sufferings in said riot ; and that they make report to this Assembly at the next session.*

God save the King.

* Copies of the letters here alluded to, are not found among the public archives.

Letters from the Governor of Rhode Island to the Earl of Hillsborough.

No. 14.]

Newport, May 5th, 1769.

My Lord :—Your Lordship's letter of September 2d last, having been laid before the General Assembly, I am, at their request, to observe to Your Lordship, that, by the charter of this colony, the supreme authority is vested in the General Assembly; and that by the constitution, all letters, intelligence and correspondence relating to public matters and the welfare of the colony, must necessarily be laid before them, and there receive a final decision. This hath always been the sense of His Majesty's ministers, who have ever directed their letters to the Governor and Company.

The instruction contained in Your Lordship's letter, I imagine must have been given without a sufficient attention to the nature of this government, which clearly appears from the letter itself; it being addressed to the Governor and Company, which is the General Assembly.

The letter being circular, I think easily accounts for the mistake.

My Lord, the duty I owe to, and the sincere affection and veneration I have for, our most gracious sovereign, will excite me on every occasion to pay a most willing obedience to all his commands. But Your Lordship must perceive that it is not in my power to comply with this instruction without acting diametrically opposite to the constitution of the colony.

Your Lordship will permit me to say, that a plain and open communication to the Assemblies, of His Majesty's instructions, relating to, and his expectations from, his faithful subjects, will have a natural tendency to promote harmony and a right understanding between His Majesty's ministers and the colonies; and be productive of the most happy effects.

I have the honor to be, &c., &c.,

JOSEPH WANTON.

To the Right Honorable the Earl of Hillsborough.

No. 15.]

Newport, May 5th, 1769.

My Lord :—Your Lordship's letter of September 14th, hath been laid before the General Assembly.

In compliance with their request, I now transmit to Your Lordship the laws and journals of the Assembly, containing all the acts and orders of a public nature, which have been passed since January, 1768, Your Lordship having already received all the laws of the colony to that time.

With great deference, I am, &c., &c.,

JOSEPH WANTON.

To the Right Honorable the Earl of Hillsborough.

No. 16.]

Newport, May 5th, 1769.

My Lord :—We, the Governor and Company, of the English colony of Rhode Island and Providence Plantations, in New England, in America, in General As-

sembly convened, have duly considered Your Lordship's letter of November 15th last.

Conscious of the purity of our intentions, of our loyalty to His Majesty, of the zeal for his service, and attachment to his illustrious family, which this colony hath always manifested, and our sincere desire to remain in a constitutional dependence on Great Britain, which we esteem the basis of our happiness and our greatest security, we are filled with the most sensible concern and grief, to find our humble, dutiful and loyal address, setting forth our grievances, and praying relief, is disapproved by His Majesty.

We desire, through Your Lordship, to return ourmost humble thanks to His Majesty, for his gracious declaration that he will be ever ready to hear and redress any real grievance that may be complained of by his subjects, in Rhode Island, in a language corresponding with the principles of the constitution. We have the firmest reliance upon His Majesty's paternal regard for the welfare, rights and privileges of all his subjects. At the same time that we deplore our unhappiness in meeting with His Majesty's disapprobation, we cannot but humbly express our opinion, that the power exercised by the Parliament of Great Britain, (in which we are not represented,) of raising monies upon us without our consent, (which it is possible, under a bad administration, may be extended to our last penny,) is a real grievance. We are not without hopes that His Majesty's rejecting our petition, is entirely owing to the false informations he hath received from America, of the state and temper of his subjects here. We have no doubt but His Majesty will be soon convinced that the Americans are not disloyal; do not aim at, nor desire, an independence of Great Britain, and that they are as far removed from a rebellious disposition as any of his subjects whatever; and we flatter ourselves that then His Majesty will graciously hear our petitions and redress our grievances.

Those men, My Lord, who have dared so greatly to abuse His Majesty, by their base misrepresentations of his American subjects, are the persons who have sown the seeds of disunion and disaffection between Great Britain and her colonies; and their memories will be execrated throughout all the British dominions, to the latest posterity.

The birth of another princess gives us a sensible pleasure, not only as it will increase the domestic felicity of Their Majesties, but as an additional security for the enjoyment of the blessings derived to the British dominions, from the mild and just government of the illustrious house of Hanover.

In behalf of, and at the request, of the General Assembly,

I am, &c., &c.,

JOSEPH WANTON.

To the Right Honorable the Earl of Hillsborough.

VOL. VI. 74

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, on the second Monday of June, 1769.

The Hon. Joseph Wanton, Governor.

The Hon. Darius Sessions, Deputy Governor.

It is voted and resolved, that His Honor the Deputy Governor, Metcalfe Bowler, Esq., Job Bennett, Esq., Joseph Hassard, Esq., Daniel Jenckes, Esq., the secretary, Mr. John Wanton and Gideon Comstock, Esq., be, and they are hereby, appointed a committee, to take into consideration the letter from the speaker of the House of Burgesses, in Virginia, addressed to the speaker of the lower house of this Assembly; and also, the resolves of said House of Burgesses, in said letter enclosed; that they prepare a draught of an answer to said letter, and draw up suitable resolves, if they think proper; and that they make report before the rising of this Assembly.*

Payton Randolph, Speaker of the House of Burgesses, of Virginia, to the Speaker of the General Assembly, of Rhode Island.

Virginia, 19th May, 1769.

Sir:—The House of Burgesses met on the 8th instant; on the 16th, they took into their serious consideration the state of this colony; and in the course of their deliberations, being alarmed at the distress in which all America is likely to be involved, came to several necessary resolutions; copies of which, they have given me particular directions to transmit without delay, to the speakers of the several Houses of Assembly, on the continent, and to request their concurrence therein.

In obedience to their order, I now, sir, enclose you a copy of those resolutions, and am persuaded the importance of the subject will be sufficient to engage the immediate attention of your respectable House, and the circumstances of America evince the propriety of their conduct.

His Excellency the Governor, thought fit, on the 17th, to dissolve the Assembly.

* These resolves, together with the action of the General Assembly therein, appear in the proceedings for October, 1769.

However discouraging this reprehension may be, yet we hope that our loyalty and affection to His Majesty, our regard to the true interest of our mother country, and our inclinations to terminate this unhappy dispute will be made manifest, and will in the end, dispose our gracious sovereign to interpose in our favor, and to procure for his injured people the redress that they most humbly ask for.

I am, with the greatest respect, &c., &c.,

PAYTON RANDOLPH.

To the Speaker of the General Assembly of Rhode Island.

Whereas, divers merchants in this colony preferred a petition, and represented unto this Assembly, that, although there are good and wholesome laws provided for regulating the fees of the officers of His Majesty's customs, within this colony, and suitable penalties inflicted upon any officer of the customs, who shall take greater fees than is prescribed by the laws of this colony, or who shall delay to clear out or enter any vessel, or who shall neglect to have the table of fees hanging up in his office; yet the merchants, especially strangers, having trade and navigation in the colony, will labor under great inconveniences, if the suits and prosecutions for breaches of the laws against any custom house officer, must be brought to the inferior courts of common pleas, at their stated terms; and thereupon, they prayed, that, in such cases, trials may be had in a more summary way; and the premises being duly considered,—

Be it enacted by this General Assembly, and by the authority thereof, it is enacted, that all such suits or prosecutions, which, by the laws of this colony, might be brought against any officer of His Majesty's customs in this colony, for taking greater fees than is prescribed by the laws of this colony, or for delaying to clear out any vessel, or for neglecting to have the table of fees hanging up in his office, may be brought to a special inferior court of common pleas, within the county where the offence shall be committed, in the same manner, and under the same restrictions and regulations as special courts may be had or held upon suits or actions brought against sheriffs and vendue masters; and that the judgment entered up by the justices of the inferior court, so specially called and held, shall be final.

It is voted and resolved, that when any officer shall be re-

moved from his office, and another chosen in his room, and a committee shall be appointed to receive of the person removed from his office, and deliver to the person chosen, the books, papers, &c., belonging to such office, or any articles belonging to the colony, which shall be in the care of the person removed and which by law or custom are shifted with the office; then, and in such case, the committee so appointed, shall be paid for their service, by the person chosen to such office; the account of such committee, being first laid before, and approved of by, the General Assembly.

It is voted and resolved, that no cost shall be allowed and taxed in criminal prosecutions, by any courts in this colony, where the person prosecuted shall be acquitted.

Whereas, George Hazard, Henry Marchant, Moses Brown and Henry Ward, Esqs., presented unto this Assembly, the following report and account, to wit :

Report of the Committee of the General Assembly, relative to the Riots in Newport, in the year 1765.

To the Honorable the General Assembly, of the colony of Rhode Island, &c., now sitting at Newport:

We, the subscribers, being appointed a committee, to inquire into the proceedings of the General Assembly, respecting the persons who suffered by the riots in Newport, in the year 1765, and to inquire what part of their goods were saved ; and also, to draught a letter in answer to the Earl of Hillsborough's letter, written to the colony, in consequence of the misrepresentations made by Doctor Moffatt, of the proceedings of this colony, respecting his sufferings in said riot, do report:

That we have taken the evidences of several persons, showing that a considerable part of their goods was saved ; and also, prepared a draught of a letter to Lord Hillsborough.

All which, we herewith present.

GEORGE HAZARD,
HENRY MARCHANT,

MOSES BROWN,
HENRY WARD.

And the premises being duly considered,—

It is voted and resolved, that the foregoing report be accepted; that the draught of a letter therewith presented, be approved; that the secretary make out, and deliver to His Honor the Governor, four fair copies of the said letter, of the accounts of Dr. Thomas Moffatt, Martin Howard, Esq. and Augustus Johnston, Esq.; and also, the depositions taken by the committee; that His Honor the Governor be, and he is hereby, requested to sign the two copies of the said letter, and transmit them, with copies of the said accounts, and depositions, to the Earl of Hillsborough; and also, two copies of the said letter, depositions and accounts, to the agent, by the first opportunities; that the account of the committee be allowed, and that the sum therein mentioned, be paid them, out of the general treasury.

It is voted and resolved, that James Helme, Joseph Hazard and Sylvester Robinson, Esqs., be, and they are hereby, appointed a committee, to sell and dispose of the real estate of Thomas Ninegret, Indian sachem, for the payment of his debts; and the same to do in three months from the rising of this Assembly, agreeably to the restrictions and votes already passed for that purpose.

It is voted and resolved, that whenever an appeal to the King in Council hath been, or may be, prayed for, and allowed, and bond given by the appellant, for prosecuting the same, agreeably to law; that, in such case, no review of said cause, in this colony, shall be had, in the law; and that if any such writ of review shall be taken out, the court to which the same shall be brought, shall *ex officio*, bar the same, and award the defendant his costs.

God save the King.

The Governor of Rhode Island to the Earl of Hillsborough.

No. 17.]

Newport, June 17th, 1769.

My Lord :—The General Assembly of the English colony of Rhode Island and Providence Plantations, in New England, in America, have duly considered Your Lordship's letter, No. 15.

It is with pleasure we acknowledge the obligations we are under to Your Lordship for the attention you have pleased to give to the demands of the colony, and trust the upright disposition you have manifested to do us justice, will procure this debt, so long due, to be paid to the colony.

At the same time, My Lord, you were pleased to acquaint us with your having received a letter from Dr. Moffatt; in which he informs Your Lordship "that the Assembly have again declined making compensation, notwithstanding he laid before them an account of his losses, regularly attested upon oath."

It would have been deemed a favor, if Your Lordship had transmitted a copy of the letter, that the colony might have known the particulars of the accusation brought against them, and might have had an opportunity of exculpating themselves from the charge.

Your Lordship will excuse our saying, that the credit which hath been given in Great Britain to representations made to the prejudice of His Majesty's faithful subjects in America, by persons on this side the water, (who are seeking, by every means in their power, to recommend themselves to offices of profit, in the gift of the crown,) hath been the principal cause of the unhappy jealousy subsisting between the parent state and the colonies; and that justice, as well as good policy, where the fate of a mighty empire was depending, would have pointed out the necessity of making an impartial inquiry and examination into the truth of the reports, before any violent measures were taken, in consequence of them, against more than two millions of people; which in our opinion could not be done without acquainting the representatives of the people in the several colonies, of the informations against them, and hearing them in their own justification.

In order to a full vindication of the conduct of the General Assembly of this colony, respecting the compensation recommended by His Majesty to be made to the sufferers by the riots in the year 1765, we ask Your Lordship's patience, while we re-capitulate what hath been already mentioned on this subject to His Majesty's principal ministers, with some further accounts and observations.

In December, 1766, the sufferers presented petitions to the General Assembly, for compensation, being the first application they made; which were referred to the next session, in February following. The petitioners then presenting no accounts of their losses, the petitions were again referred to the next session, in May, which being the general election of officers throughout the colony, they were referred to the next session in June; when Dr. Moffatt exhibited a general account of his loss, which proving not satisfactory to the lower House, they directed that the sufferers should lay before the General Assembly particular accounts, upon oath; specifying the several articles which had been lost or damaged, in order that their losses might be ascertained, and full compensation granted.

This, the lower house of Assembly insisted upon, because they had undoubted information that great part of the Doctor's books, furniture, &c., had been saved; a

considerable part of which had been delivered to his attorney, and the remainder was in the care of his friends, who were ready to deliver them when called for ; all which articles, in the Doctor's account, were deemed as totally lost, and estimated at a most extravagant rate.

At the next session, in August following, Mr. Howard and Mr. Johnston, presented accounts of their losses, conceived in the same general terms as the Doctor's ; and their damages, in the opinion of the General Assembly, estimated at a rate higher, beyond all proportion, than the real losses suffered.

Upon this, the General Assembly came to the same resolution that had been passed in the lower House, the preceding session ; which was, that the sufferers should give an account of particulars, upon oath.

This, the Assembly, in justice to themselves and their constituents, were obliged to require ; nor could it be deemed any great hardship upon those gentlemen, nor any thing very difficult for them to perform, they being possessed of but small estates, and having small families, and able, in the opinion of all impartial people, to give an account of every article of value lost or damaged, so that their damages might have been ascertained within quite a small sum of the real loss.

A demand of the same nature had been previously made by the representatives of the Province of the Massachusetts Bay, to the sufferers in that Province, who cheerfully complied with it, and accordingly received compensation. And it must be granted, that if Lieut. Governor Hutchinson, (whose single loss surpassed that of all these gentlemen,) and Mr. Secretary Oliver, who were so much superior in fortune, and in the quantity and value of their household furniture, were able to give a satisfactory account, upon oath, of their losses, that these gentlemen could, with greater ease, have done it. These gentlemen have since made oath to the general accounts they had before presented, and have constantly refused to comply with the necessary and reasonable requisition of the General Assembly.

Besides the objections made upon account of their not exhibiting a list of particulars, an insuperable objection will ever remain against any allowance being made to Dr. Moffatt and Mr. Howard, for their time and expenses in going to, and remaining in Great Britain, or for any loss they pretend to have suffered by leaving their business, in this colony ; for this, My Lord, was a voluntary act, of their own, not occasioned by any kind of danger to their persons from remaining in Newport, but (as the Assembly is persuaded,) from a resolution taken to proceed to London, with the pleasing views and hopes of making their fortunes, by representing themselves as meritorious sufferers on account of their zeal for the power of the British Parliament and the measures of administration.

That they were in no danger, Your Lordships will be convinced, when you consider that Mr. Johnston, himself, who was appointed to the obnoxious office of stamp distributor, remained in safety, in the colony, for several years after, neither his person or property being injured by any riot whatever. Against several charges in Mr. Johnston's account, insuperable objections will also ever remain ; particularly to the article for loss of business. For if Mr. Johnston, or any other gentlemen, should sustain any loss of business, by accepting an office under the crown, it cannot be expected that this Assembly will think themselves under any obligations to make up such losses.

In short, My Lord, the General Assembly now is, and ever hath been, willing to make ample compensation to the sufferers for the whole of the real losses they sustained. But these losses they insist the gentlemen shall ascertain, by giving in,

upon oath, such an account of particulars as shall be deemed reasonable and satisfactory. This, My Lord, is the ground we stand upon, and from which we cannot depart.

One expression in Your Lordship's letter, fills us with concern. It is this: "I have lately received a letter from Dr. Moffatt, upon the subject of the compensation due to him, from the colony." This Assembly, My Lord, cannot consider the making a grant to the sufferers as a debt, due from the colony, which we are under any obligation to pay; but as a free and voluntary gift of our own; which no power on earth hath a right to compel payment of, as a debt; but which we are willing to make, as a testimony of our readiness to comply with the recommendation of our most gracious sovereign.

With this letter, Your Lordship will also receive copies of the accounts presented by these gentlemen, and of some evidences taken by a committee, who were appointed for that purpose. Others might have been taken, proving the saving of many more articles of Dr. Moffatt and Mr. Howard. But, as in this way, the exact damages cannot be ascertained, it is thought these will be sufficient to justify the colony in refusing to pay these accounts, even supposing compensation was a debt due.

We have no doubt, that, upon considering the foregoing narration and the enclosed copies, Your Lordship will be convinced that the obstacles which have prevented compensation being made, have arisen from the sufferers themselves, who have hitherto trifled with the General Assembly; and without doubt, misrepresented the matter to His Majesty's ministers; otherwise, it cannot be supposed that the lords of the treasury would, upon pretence of compensation not being made to the sufferers, still withhold payment of the money so freely advanced by the colony in consequence of requisitions from His Majesty's officers, and with assurances of re-payment.

In behalf, and at the request, of the General Assembly, I am, &c.. &c.,
JOSEPH WANTON.

To the Right Honorable the Earl of Hillsborough.

Joseph Sherwood, Agent for the Colony, in London, to the Governor of Rhode Island.

[London], 2d July, 1768.

Esteemed Friend:—Finding, by the public prints, that thou art appointed Governor of the colony of Rhode Island, it becomes my duty, as agent for that colony, to congratulate thee, thereon; and to address thee, from time to time, on all matters relating to, or which may affect the North American colonies in general, or the colony of Rhode Island in particular.

Since my last to the government, nothing new has occurred, excepting that, having occasion to wait on Lord Hillsborough, who is secretary of state for the affairs of America, His Lordship signified to me, that the King, by his ministry, received no advices from the government of Rhode Island, either respecting the laws passed by them, or any other government affairs; with which he seemed to be pretty much dissatisfied, and desired me to inform the government, that unless they thought fit to cor-

respond with His Majesty's ministers, in the manner before mentioned, complaints would be made to Parliament, in respect thereto.

Both Houses of Parliament are under prorogation; I have received no advices from the colony, for some time past.

I am, with great regard to thyself,

And the gentlemen of the General Assembly, &c., &c.,

JOSEPH SHERWOOD

To the Governor of Rhode Island.

Joseph Sherwood, Agent, &c., to the Governor of Rhode Island.

[London], 5th July, 1769.

Esteemed Friend:—Finding thou art chosen Governor of the colony of Rhode Island, I take the liberty of congratulating thee thereon, and addressing thee on the affairs of the colony.

Since my last letters to the Governor, I have again attended the treasury board, and pressed the reimbursement of the money due to the colony, for the expedition to Canada, in the year 1756. I received for answer, that the board had written to Dr. Moffatt, advising him to let drop some of the sums of his demand, and to moderate some others. I can obtain no other satisfaction, till the matter is settled with him and Martin Howard.

In company with several of the agents for our North American colonies,—and particularly for New York, Pennsylvania and Massachusetts Bay,—I attended the Earl of Hillsborough, some days ago, with whom we had a full and long conference on the subject of the American grievances; he repeatedly assured us, that the legislature and ministry, here, had laid aside every idea of raising a revenue in America, for the service of government; and that it was resolved upon, by them, to repeal the act laying duties upon paper, glass and colors; and that every reasonable and proper measure would be taken to remove the jealousies, fears and apprehensions of the Americans.

I am, &c., &c.,

JOSEPH SHERWOOD.

To the Governor of Rhode Island.

The Destruction of His Majesty's Sloop Liberty, in Newport Harbor.

[The first open and forcible resistance, in the colonies, against the acts of the British government, which led to their final separation from the mother country, took place in Newport, at this time.

It appears that a revenue vessel, called the *Liberty*, had been fitted out by the commissioners of the King's revenue or customs, in Boston, and sent to the waters of Rhode Island, to detain and examine all vessels suspected of violating the revenue laws. This vessel took a brig and a sloop, belonging to Connecticut, which she brought into Newport. Here some difficulties took place, and for some slight provocation, the captain of the brig was fired on by those on board the *Liberty*. Obtaining no redress for this outrage, the people of Newport, boarded the obnoxious vessel, cut her cables and suffered her to drift on shore, near Long Wharf. They

then cut away her masts, threw her armament overboard, when, with the first high tide, she drifted over to Goat Island. The first night she lay here, a party went over to her, from Newport, and burnt her. The importance of this event, which will be referred to hereafter, induces us to publish the following statements from the Newport and Providence papers, of the period.

The *Newport Mercury*, of May 22d, 1769, says: "Last Tuesday, a sloop, from the West Indies, belonging to Providence, in this colony, was seized by the officers of the Liberty sloop of war."

We next find in the Providence Gazette, of May 27th, the following: "On Monday, arrived here, His Majesty's armed sloop Liberty, Capt. Reid, from Newport." And in the same paper, of July 22d, 1769, is the annexed narrative:

"The following is the last and most circumstantial account we have been able to procure, of the destruction of the armed sloop Liberty, at Newport, on Wednesday evening last:

Capt. Reid, commander of the sloop Liberty, having seized a brig and sloop, belonging to Connecticut, on Monday, he carried them both into Newport. On Wednesday, the captain of the brig went on board for some necessaries, but was informed that his linen and clothes were removed on board the Liberty; and observing some of her hands unbending his sails, he desired them to desist, but received the most abusive language in return. He then proposed going on shore; but missing his sword, civilly inquired for the same, and was informed by one of the hands, that a man belonging to the Liberty sloop, lay on it, in the cabin; upon which, the captain went down, but was accosted with a volley of oaths and imprecations. He then seized his sword, which the sloop's men endeavored to wrest from him, but did not succeed; and getting into the boat, with a couple of his hands, was proceeding to the shore. The Liberty sloop was immediately hailed, and informed of the affair, when a musket, with a brace of balls, was fired at the boat, which nearly proved fatal to the captain, as both balls flew close to him. A swivel was then leveled, which only flashed; and a pistol likewise snapped at the boat, without effect.

Numbers of people on the wharf, were witnesses to this extraordinary proceeding; and Capt. Reid being on shore, was compelled in the evening, to order all his men from on board the Liberty, to answer for their conduct.

Her cables were then cut, and the vessel brought to the wharf, where a number of men, chiefly from Connecticut, went on board, and after cutting away her mast, and rendering her unfit for service, they threw every thing that was valuable overboard, and scuttled the vessel; after which, they quietly dispersed.

Both the vessels that were seized, have since proceeded on their respective voyages."

All the following quotations, are from the *Newport Mercury*, of July 22, 1769:

"To the printer of the *Newport Mercury*:

The following is said to be a true statement of the affair, relative to the sloop Liberty, and the brig and sloop brought in here last Monday; which you are requested to insert in your Mercury, lest this transaction should be misrepresented to the administration.

Last Monday morning, the 17th inst., the armed sloop Liberty, commanded by Capt. William Reid, arrived here, and brought in a brig and sloop, belonging to Connecticut, taken in the Sound, without this colony, on suspicion of the brig's

having done some illicit act, and that the sloop had contraband goods on board ; but as no proof appeared against the brig, she reported her cargo at the custom house here ; and on Wednesday, no prosecution having been entered against either of them, Capt. Packwood went on board the brig, in order to get his sword, and some necessary apparel, which the commanding officer on board, (one of the Liberty's men,) refused to let him bring away ; and, 'tis said, offered him violence ; which reduced Capt. Packwood to the necessity of drawing his sword, to force his way into his boat. Whereupon, the officer called upon the Liberty's people to fire on Capt. Packwood, as he was going ashore, which they did ; and a brace of balls, 'tis supposed, went very near, but did not hurt him ; they then attempted to fire several more guns upon him, which, happily all snapped or flashed, and could not be discharged.

This attempt of violence, by the Liberty's people, whose commander had never condescended to exhibit his commission to the Governor of this colony, so enraged a number of persons, that, the ensuing evening, having met Capt. Reid on the Long Wharf, they obliged him to send for his men on shore, in order to discover the man who first fired on Capt. Packwood ; upon which, Capt. Reid sent for all hands, except his mate. Afterwards, a number of persons unknown, went on board the Liberty, sent the mate away, cut her cables, and let her drift ashore at the Point ; when they cut away her mast, scuttled her, and carried both her boats to the upper part of this town, and burnt them.*

While this affair was transacting, the sloop suspected of having contraband goods on board, made her escape ; and the brig has since received her papers, and sailed last Friday.

By the Honorable Governor, Captain General, and Commander in Chief of and over the English colony of Rhode Island and Providence Plantations, in New England, in America :

A P R O C L A M A T I O N .

Whereas, Charles Dudley, Esq., collector and surveyor, and John Nicholl, Esq., comptroller, of His Majesty's customs, for the colony, aforesaid, have this day presented unto me, a memorial, setting forth, that a number of people on the 19th instant, in the evening, being assembled in a riotous and tumultuous manner, did, with threats against his life, compel Captain William Reid, commander of the sloop Liberty, in the service of the revenue, lying in the harbor of Newport, to order the people who had the keeping and charge of his vessel, to come on shore ; after which, a number of men boarded the said sloop, and set at liberty a sloop brought into this port, by the said William Reid, laden with prohibited goods, and under seizure, and she was afterwards carried away to the great prejudice of His Majesty ; and that they then proceeded to destroy the said sloop Liberty, by cutting away her mast and rigging, and scuttling her, so that she sunk ; and burnt her two boats :—

I have therefore, thought fit, by and with the advice of such members of His

* The boats were burned on the Common, opposite the Pound. They were run up the Long Wharf, thence up the Parade, and through Broad street, by the populace ; and, when the boats passed up the parade, it was with such rapidity, that, owing to the iron shoeing on their keels, they left a stream of fire in their rear, several feet long.

Majesty's Council, as could conveniently be called together, to issue this proclamation, hereby directing and requiring all the officers of justice in this colony, to use their utmost endeavors, to inquire after and discover the persons guilty of the aforesaid crimes, that they may be brought to justice.

Given under my hand, at Newport, this twenty-first day of July, in the ninth year of the reign of His Most Sacred Majesty George the Third, by the grace of God, King of Great Britain, &c. Anno Dom. 1769.

J. WANTON.

By His Honor's command,

HENRY WARD, Secretary.

God save the King.

"Last Saturday afternoon, the sloop Liberty was floated by a high tide, drifted over to Goat Island, and is grounded at the north end, very near where the pirates were buried. What this prognosticates, we leave to the determination of astrologers!"—*Newport Mercury*, July 31.

"Last Monday evening, just after the storm of rain, hail and lightning, the Liberty sloop, which we mentioned in our last, to have drifted to Goat Island, near where the pirates were buried, was discovered on fire; and she continued burning for several days, till almost entirely consumed."—*August 7*.

August 28th, 1769.

"Whereas, William Reid, commander of the sloop Liberty, employed in the service of His Majesty's customs, having made seizure of a sloop named the Sally Edward Finker, master, belonging to New London, loaded with a cargo of prohibited goods, and carried the same into the harbor of Newport, Rhode Island, where a great number of people riotously and tumultuously assembled together, in the evening of the 19th of July last, and having by force and arms, attacked and secured the said Captain Reid and his men, and taken possession of both vessels, they set fire to, and sunk the Liberty, and carried off the sloop Sally:—

For the apprehending and bringing to condign punishment, the persons concerned in this daring and atrocious outrage, the commissioners of His Majesty's customs, do hereby promise a reward of £100, sterling, to any person or persons, who shall inform against any of the offender or offenders, (except Nathaniel Shaw, Joseph Packwood and ——— Angell,) to be paid on his or their conviction.

By order of the commissioners.

RICHARD REEVE, Sec'ry."

[By this, it will be seen, that the first overt act of the colonies against Great Britain, took place in July, 1769, at Newport. The next, was the destruction of another revenue vessel, the Gaspee, near Providence, in 1772. The tea was destroyed in Boston harbor, in 1773. The particulars of the Gaspee affair, will appear at length, in the next volume of these Records.]—J. R. B.

*The Earl of Hillsborough to the Governor and Company of
Rhode Island.*

No. 18.]

Whitehall, August 4th, 1769.

Gentlemen :—I have received and laid before the King, Mr. Wanton's letter to me, of the 17th of June, in answer to mine of the 20th of February last, upon the subject of your demands on the treasury here, and the compensation alleged by Dr. Moffatt to be withheld from him by the General Assembly of Rhode Island; but His Majesty does not think fit to signify his pleasure upon this letter, until I am enabled to lay before His Majesty the opinion of the lords commissioners of the treasury, upon the papers which I acquainted Governor Lyndon, in the dispatch above mentioned, I had, by His Majesty's command, transmitted to that board.

I am, gentlemen, &c., &c.,

HILLSBOROUGH.

To the Governor and Company of Rhode Island.

*Proceedings of the General Assembly, held for the Colony of Rhode
Island and Providence Plantations, at East Greenwich, on the
second Monday in September, 1769.*

The Hon. Joseph Wanton, Governor.

The Hon. Darius Sessions, Deputy Governor.

Whereas, the present mode of distributing the estates of persons dying intestate in this colony, is found by experience to be attended with great inconveniences,—

It is therefore voted and resolved, that William Richmond, Oliver Arnold, Henry Marchant, Benoni Pearce and Henry Ward, Esqs., be, and they are hereby, appointed a committee, to draught an act for the distribution of intestate estates, more suitable to the circumstances of the colony; and that they present the same to this Assembly at the present session.

Be it enacted by this General Assembly, and by the authority thereof it is enacted, that no town council in this colony, be obliged to deliver out any bond they may have taken for executing the last will and testament, or due admin-

istration of the estate, of any person deceased, unto any creditor to, or person interested in, such deceased person's estate, to be put in suit, until sufficient security be given to the town council, to their acceptance, to indemnify such town council from all costs and charges that may accrue in any prosecution thereon.

It is voted and resolved, that Job Bennett, Esq., Mr. Thomas Freebody, Mr. Moses Brown, the attorney general and the secretary be, and they are hereby, appointed a committee, to consider two letters laid before this Assembly, by His Honor the Governor; one, from the commissioners of the customs, at Boston, and the other, from John Irving, Esq., inspector of imports and exports, relative to the naval office; and that they make report, before the rising of this Assembly.

Whereas, the freeholders and freemen, of the town of North Kingstown, preferred a petition, and represented unto this Assembly, that they are greatly burthened with poor people; that the building a work house in the said town, in which to employ the poor, will be of great advantage; and that at present they are unable to erect the same; and therefore they prayed this Assembly, to grant them a lottery, to raise the sum of £120, lawful money, to be applied towards the building of said work house, agreeably to the scheme presented with the said petition; and that Beriah Brown, Esq., William Hammond, Esq., Col. Joseph Taylor, Charles Tillinghast, Esq. and Mr. Ebenezer Brown, may be appointed directors of said lottery; which was granted.

Whereas, James Daniel, William Sachem, David Phillip, Henry Harry and Christopher Harry, the council of Thomas Ninegret, sachem of the Narragansett tribe of Indians, preferred a petition, and represented unto this Assembly, that the committee appointed to make sale of the real estate of said Thomas Ninegret, for the payment of his just debts, have sold some of the said lands; that it appears that the whole of his debts cannot be paid, without selling a piece of land, called and known by the name of Fort Neck; one part of which, lies to the southward, and the other to the northward of the post road; that part lying to the southward, being all the land be-

longing to the said Thomas Ninegret, that joins to the Salt Pond upon which, all the said tribe depend for their fishing ; that when the committee were disposing of the land of the said Thomas Ninegret, he, together with the petitioners, considering that the tribe principally depended upon the fishery for a living, wanted to dispose of the said piece of land, called Fort Neck, to such person or persons as would be agreeable to them ; but that the committee being of opinion, that the said land must be disposed of at public sale, could not allow them that privilege, and adjourned to the 27th day of this instant September ; and therefore they prayed this Assembly to grant them the liberty to sell and dispose of the said piece of land, called Fort Neck, to such person or persons as shall be agreeable to them, under the care and inspection of the said committee, and at the value of the said land.

And whereas, the petitioners further represented, that since the order of Assembly for selling the estate of the said Thomas Ninegret, for the payment of his debts, he hath contracted other debts for his necessary subsistence ; and if it had not been for the favors he received, from some particular friends, must have suffered ; that every person to whom he owed any sum which could be brought to a justice's court, hath sued him, and he hath been obliged to make over every thing he hath of personal estate, even to the clothes on his back, to prevent his going to jail, for his small debts ; and that unless a sufficient quantity of land be sold, to pay the small demands against him, he must immediately go to jail ; and thereupon, they further prayed, that the said committee may be empowered to sell a sufficient quantity of land to pay the just debts, contracted by the said Thomas Ninegret, since the General Assembly have restrained him from disposing of his estate ; the demands against him being under the same inspection of the committee, as those demands which were against him before the act of Assembly so restraining him. And the premises being duly considered,—

It is voted and resolved, that the committee appointed at the last session, to sell and dispose of the real estate of Thomas

Ninegret, Indian sachem, for the payment of his debts, be, and they are hereby, continued a committee for that purpose ; and empowered to complete the same, within three months after the rising of this Assembly.

And it is further voted and resolved, that the said committee be, and they are hereby, empowered, with the consent of the said sachem and five of his council, to sell a sufficient quantity of the said sachem's lands, to pay all the just debts he now oweth.

And it is further voted and resolved, that the petitioners be, and they are hereby, empowered to sell and dispose of the said piece of land, called and known by the name of Fort Neck, to such person or persons as they shall think proper, either at public or private sale ; the money arising from the sale thereof, to be paid to the committee, and to be appropriated to the payment of the said sachem's debts ; and the deeds of the estate or estates which shall be sold in pursuance of this act, shall be made and given in the same manner as is directed by an act of this Assembly, passed in October, A. D. 1768, appointing a committee to sell and dispose of the estate of the said Thomas Ninegret, for the payment of his debts.

Whereas, Mr. Moses Brown, one of the deputies of the town of Providence, made the following motion to this Assembly, viz.:

Moses Brown moves the Honorable General Assembly, that a committee be appointed to collect the papers respecting the northern line of this colony, and procure such evidences as they may think proper, in order to give the Assembly the necessary information respecting said line, to enable them to form a judgment whether it be necessary to pursue the further examination and prosecution of the same ; and as an inducement to this pursuit, he would observe, that a committee hath been formerly appointed, who run the line and made report, which now lies in the secretary's office ; that, from the best information, there may be easily added to the colony a very considerable tract of land, the inhabitants whereof are very fond of being subjects of this government, which they verily think

hath a legal right to govern them ; that, as they expected that this government long ago would stand by them, they openly declared for their interest in this colony ; that Connecticut colony hath been heretofore invited to join with this colony in pursuing our claim upon the Massachusetts Bay, which hath encroached very largely on this colony ; and as the line of the colony of Connecticut begins where ours ends, that colony depends and must depend on our right settlement of that line, to know their own boundary on the Province. And surely nobody will say but that our line next to the Province ought to be settled ; and it is time it was done, that the inhabitants on those lands may be governed by their proper colony, and not be harrassed with taxes, &c., in a Province that they have the strongest reason to think hath no right to govern them ; wherefore, the said Moses heartily moves, that this colony would assert their right to those lands, and make proper inquiry, and appoint a proper committee, for that purpose ; and that Connecticut may once more be invited to join and assist us in doing themselves and us right ; and the premises being duly considered,—

It is voted and resolved, that the Hon. Joseph Wanton, Jr., Esq., Jonathan Randall, Esq., Mr. Moses Brown, Matthew, Esq., and the attorney general, be, and they, or the major part of them, are hereby, appointed a committee to examine into the subject matter of the foregoing motion ; and that they make report to this Assembly, at the next session.

Whereas, Augustus Johnston, Esq., hath requested this Assembly that a committee may be appointed to examine into the losses he sustained by the riots in Newport, in the year 1765 ;—

It is therefore voted and resolved, that Messrs. Samuel Freebody, William Redwood, Sen. and Jonathan Nichols, innholder, all of Newport, aforesaid, be, and they, or the major part of them, are hereby, appointed a committee, to inquire into the losses sustained by the said Augustus Johnston, by the riots above mentioned ; that the said committee be, and they are hereby, empowered to call any person or persons before them,

and examine them upon oath, respecting said losses ; and that they give due notice to the said Augustus Johnston, of the time and place they shall appoint for taking such evidences, in order that he may have opportunity to ask such questions, and produce such evidences in his favor, as he may think proper ; and that the said committee make report to this Assembly at the next session.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday in October, 1769.

The Hon. Joseph Wanton, Governor.

The Hon. Darius Sessions, Deputy Governor.

It is voted and resolved, that the fines of the members of the General Assembly, for non-attendance upon the first day of the session, be raised to six shillings, lawful money ; and that the secretary be, and he is hereby, empowered and directed, to issue executions for all such fines and forfeitures as shall be due from any member of the lower House, by any rules or orders of that House, in the same manner as for fines for non-attendance ; and that the clerk of the lower House shall give the secretary a certificate of all such fines and forfeitures.

Whereas, the Hon. Payton Randolph, Esq., late speaker of the Honorable House of Burgesses of the colony and dominion of Virginia, did, by order of that House, transmit to the speaker of the lower House of this Assembly, several resolutions entered into by the said House of Burgesses, and desired the concurrence of the lower House, therein ; which resolutions are as follows, to wit :

Resolutions of the House of Burgesses, of Virginia, relative to the imposition of Taxes upon the Colonies, by Great Britain.

“ Tuesday, the 16th of May,
9th George III., 1769.

Mr. Blair reported from the committee of the whole House, to whom it was referred to consider of the present state of the colony, that they had come to several resolutions, which he read in his place, and afterwards delivered in at the clerk's table, where the same were read, and are as follows, viz.:

Resolved, that it is the opinion of this committee, that the sole right of imposing taxes on the inhabitants of this, His Majesty's colony and dominion of Virginia, is now, and ever hath been, legally and constitutionally vested in the House of Burgesses, lawfully convened, according to the ancient and established practice, with the consent of the Council, and of His Majesty, the King of Great Britain, or his Governor for the time being.

Resolved, that it is the opinion of this committee, that it is the undoubted privilege of the inhabitants of this colony to petition their sovereign for the redress of grievances; and that it is lawful and expedient to procure the concurrence of His Majesty's other colonies, in dutiful addresses, praying the royal interposition in favor of the violated rights of America.

Resolved, that it is the opinion of this committee, that all trials for treason, misprision of treason, or for any felony or crime, whatsoever, committed and done in this His Majesty's said colony and dominion, by any person or persons residing therein, ought of right to be had and conducted in and before His Majesty's courts held within the said colony, according to the fixed and known course of proceeding; and that the seizing any person or persons, residing in this colony, suspected of any crime whatsoever, committed therein, and sending such person or persons to places beyond the sea, to be tried, is highly derogatory of the rights of British subjects; as thereby, the inestimable privilege of being tried by a jury from the vicinage, as well as the liberty of summoning and producing witnesses on such trial, will be taken away from the party accused.

Resolved, that it is the opinion of this committee that an humble, dutiful and loyal address be presented to His Majesty, to assure him of our inviolable attachment to his sacred person and government; and to beseech his royal interposition, as the father of all his people, however remote, to quiet the minds of his loyal subjects of this colony, and to avert from them those dangers and miseries which will ensue from the seizing and carrying beyond sea any persons residing in America, suspected of any crime whatsoever, to be tried in any other manner than by the ancient and long established course of proceeding.

The said resolution being severally read a second time,—

Resolved, *nemine contradicente*,

That the House do agree with the committee, in the said resolutions.”

And this General Assembly, having duly considered and maturely weighed the said resolutions,—

Do vote and resolve, and it is voted and resolved, that the second, third and fourth, of the said resolutions, be, and they are hereby, approved ; and that they pass as, and become resolutions of, this Assembly ; this Assembly having already fully asserted their sole and exclusive right of imposing taxes upon the inhabitants of this colony, and transmitted copies of the resolves, on that subject, to one of His Majesty's principal secretaries of state.

And it is further voted and resolved, that Metcalfe Bowler, Esq., Daniel Jenckes, Esq., Mr. John Wanton, Gideon Comstock, Esq. and the secretary, be, and they, or the major part of them, are hereby, appointed a committee to prepare an address to His Majesty, agreeably to the foregoing resolutions ; and that they present the same to this Assembly, at the next session.

Whereas, Matthew Robinson, Esq., Mr. Moses Brown, Joseph Wanton, Jr., Esq. and Oliver Arnold, Esq., presented unto this Assembly, the following report, to wit :

Report of the Committee of the Assembly relative to the Boundary Line between Rhode Island and Massachusetts.

To the Honorable General Assembly, now sitting in South Kingstown :

Whereas, at the last session of the Assembly, at East Greenwich, we, together with Jonathan Randall, Esq., were appointed a committee to examine into the state of the claims of this colony upon the Province of the Massachusetts Bay, respecting the north line of this colony, bordering on said Province, and to make report thereof, to this Assembly. In obedience thereunto, we do report :

That we have examined into said claim, and do find that there was a committee, some years ago, appointed to run said line, agreeably to our charter, and that of the Province of the Massachusetts Bay, who, in the year 1750, run said line, accordingly, and made report thereof to the General Assembly, at Providence, the same year, as by the plat and report thereof on file, with the statement of our title or claim, in the secretary's office, and divers depositions to support the same, reference thereunto being had, may at large appear ; that thereby, it is clear, that there is a tract of land as large as one-fifth part of the land now possessed by this colony, which is unjustly under the jurisdiction and government of the Province of the Massachusetts Bay ; and which of right, appertains to this colony ; that this colony had invited the colony of Connecticut into consultation with our committee, the

true line of that colony beginning where ours ends ; that it was through inattention dropped ; and our line being not yet settled, theirs cannot be ; wherefore, it seems best to invite the colony of Connecticut, whose interest is connected with ours, to join a committee of this colony, to consult what is, or shall be thought, best to be done to settle said line truly ; which seems necessary to be done, to stop the uneasiness of the inhabitants on those lands, to secure them in peace, and to finish this dispute rightly, as soon as may be. This is submitted by—

MATHEW ROBINSON,
MOSES BROWN,
JOSEPH WANTON, JR.,
OLIVER ARNOLD.

South Kingstown, October 27, 1769.

And the foregoing report being duly considered,—

It is voted and resolved, that the same be, and hereby is, accepted.

It is voted and resolved, that Mr. Moses Brown have liberty to receive the plat of the northern boundary line of the colony, and the papers relative thereto, to take copies thereof ; he promising to return the same to this Assembly, at the next session.

God save the King.

Public Acts passed during the year 1769.

[The following laws will be found at length in the printed "Schedules," or acts and resolves of the General Assembly, for the year 1769.]

An Act for the making the real estates of deceased persons liable to satisfy their debts. (February.)

An additional Act for regulating cases in bastardy. (February.)

An Act incorporating the ministers, church wardens and vestry of Trinity Church, in Newport. (February.)

An Act for assessing a tax upon the inhabitants of this colony, of £6,000, lawful money ; and £93,687 15s. 2d., old tenor. (February.)

An Act appointing coroners in each town in the colony. (May.)

An Act in amendment of an act passed at the last session, ordering executions to be returned on the first day of the setting of the courts. (May.)

An Act amending an act passed in February last, assessing a tax upon the inhabitants of this colony. (May.)

An Act in addition to an act, entitled "An act declaring how far parents and children are liable to maintain each other." (June.)

An additional Act, regulating the proceedings in cases of bastardy. (September.)

An Act to enable executors and administrators, to prosecute or defend suits that are depending upon appeal, wherein the testator or intestate, was, or shall be, appellant, or appellee. (October.)

An Act to prevent the spreading of the murrain, or other contagious distemper, among horned cattle in this colony. (October.)

An Act to prevent mischief by mad dogs. (October.)

An Act empowering the several collectors of rates, in this colony, to cite or summons persons whom they shall suspect to have any real estate of persons who are rated in any town, in this colony, or are gone to sea, and have left the colony. (October.)

GENERAL INDEX.

-
- | | |
|---|---|
| <p>Abercrombie, Major Gen., appointed commander in chief in North America115, 135 orders an embargo137 letters from138, 150 declares the capitulation of Fort William Henry void155 letter to Marquis Vaudreuil.....155 biographical notice of168 Aborn, Joseph.....246 Samuel43 Actions, civil trials in566 Adams, John, Jr.248 John315 Samuel537 Adlin, John, Jr.....202 Aginton, John.....247 Albany, troops sent to75 transports to be sent to94 colony's agent at185 Albro, Benoni248 Jeremiah44 Samuel4, 47 Aldrich, Abraham45 Andrew248 Caleb581 Charles247 Ebenezer45 Job45 John307 Robert489 Thomas210 William203 Alexanders, Roger248 Allen, Amos202 Benjamin142 Benjamin, Jr.....203 Caleb431 Ephraim142 Ideon204 mes45</p> | <p>Allen, John, Jr.59 Joshua59, 134, 247 Samuel433, 490, 543 Stephen204 Thomas4, 523 Almy, Job223 John553, 581 William142 Allin, Jonathan202 Alverson, Wm... ..203 Amherst, Maj. General, Jeffrey, ap- pointed commander in chief....180 letters from, 180, 198, 199, 200, 217, 224, 231, 232, 243, 244, 253, 280, 285, 295, 302, 303, 309 to 317, 318, 323, 333, 334, 339, 343, 344, 364, 376. directs troops to be raised191 biographical note on258 lieutenant colonel.....343 Andrew Edmund44 John489 Jonathan44 Andrews, John, judge of vice admir- alty court; memorial from....370 John ...24, 48, 78, 109, 128, 176, 207 commissioner at Hartford.....121 John, Jr., Providence202 John, Jr. of Gloucester203 John, son of John203 Zephaniah142 Angell, Andrew546 James354, 507 Jeremiah47, 143, 176, 206 John141, 145, 251 Nathan437 Samuel, Col....25, 71, 173, 182, 230 Governor Greene's instructions to, connected with Canada expedi- tion54 letter to Gov. Hopkins72</p> |
|---|---|

- Angell, Samuel, letter to Governor Hopkins, relative to the surrender of Fort William Henry. . . . 167
 Thomas 397, 524
 Anthony, David 46, 282
 Jonathan 142
 Thomas 282
 Antrobus, Captain Charles, of the Maidstone ship 444, 446, 485
 Appeals to King and Council. 566
 Appy, J., secretary to Gen. Abercromby, letters from. 151, 156
 Arnold, Jonathan, Jr. 314
 Benjamin 48, 205, 542
 Benjamin, 3d. 396
 Gideon 298
 Israel 432, 543
 James, Jr. 26, 47, 143, 205, 251, 257
 James, son of Elisha. 583
 James, of Providence 246
 Job 202
 John, of Coventry 142
 John, of East Greenwich. 143, 205
 John, of Cumberland 204
 John, Jr., of do. 203
 Joseph, son of Philip. 202
 Josiah 522, 527
 Luke 247
 Nathan. 142
 Nathaniel. 202
 Oliver 142, 490, 507, 604, 605
 Samuel 203
 Simeon 202
 Stephen 144, 248, 542
 Thomas. 47, 88, 143, 249, 256
 Thomas, of Newport. 246
 William 248, 309
 Assembly, members of, to be fined for non-attendance 21
 fine to be increased. 602
 Attachments, act relative to 262
 Attorney general, fees augmented . . 262
 one of the committee of the Assembly relative to the boundary line between Massachusetts and Rhode Island. 601
 Atwell, Amos. 287
 Atwood, Thomas. 140
 Aubry, General. 225
 Austin, John 141
 Benjamin 248
 Jeremiah 247
 Pasco, Jr. 248
 Aylesworth, Chr. 44
 Ephraim. 45
 Thomas 134
 Ayrault, Daniel. 18, 123, 143, 205, 249
 Daniel, Jr. 47, 88
 Stephen 369, 515
 Babcock, Christopher. 141
 Babcock, Col. Henry, 78, 141, 146, 151, 157, 176, 185, 196, 199, 229, 232, 258.
 commands troops in the Canada expedition. 151, 233
 letters to Gov. Hopkins, 151, 163, 164, 165, 216, 218
 court of inquiry on 175
 Ichabod, Jr. 44
 James 45
 James, Jr. 141, 490
 Jesse. 247
 Jonathan 44
 Jonathan, son of David 203
 John 248
 Joshua 131, 143, 152, 205
 Joshua, Jr. 141
 John 248
 Joseph 248
 Nathan 249, 282, 283
 Oliver, Jr. 248
 Hezekiah 282, 488
 Simeon, of Coventry 45, 142
 Simeon, of Hopkinton. 248
 Bacon, P. 353, 369
 Henry 202
 Bailey, Bennett. 204
 John 46
 Richard 250, 283
 Samuel 296
 Samuel, Jr. 46
 William 4, 47, 144
 William, of East Greenwich. 203
 Baker, Abraham 203
 Job 142
 Joseph 248
 Philip 134
 Stephen 45
 Thomas 248
 Balch, Nathaniel 246, 305
 Ballard, Isaac 45
 Bankruptcy, act relative to 566
 Barber, Benjamin. 283, 523
 Caleb 397
 Daniel 314
 Elisha 306
 Josiah 142
 Joseph 306
 Moses 582
 Thomas, Jr. 204
 William 142
 Barker, Caleb. 543
 Edward 44
 Giles 142
 Isaac 47
 James, Jr. 177, 206, 282
 poetical protest of. 393
 John 144, 543, 581
 Joshua 489
 Nathan 142
 Peleg 46, 385

- Barker, Robert 46, 143
 Barberry bushes, act for destroying. 509
 Barnes, John 247
 Joseph 247
 Barret, Benjamin 45, 307
 Barré, Col. Isaac, biographical notice of 462
 vote of thanks to 462, 474
 Barton, Benjamin 4
 Bartlett, Job 48, 206
 Bartman, Captain 82, 86
 Bastardy, act relative to 605
 Bates, Joshua 45
 Stephen 203
 Battar, Ignatius 140
 Baxter, Robert 247
 Beale, Richard 43
 Beekman, Gerard G. 271
 Beere, John 6
 Beet, John 43
 Belknap, Abraham 432
 Joseph 202
 Benjamin 290
 Bentley, Tillinghast 142
 William, Jr. 204
 Bennett, Benjamin 141
 Hezekiah 203
 Job 239, 251, 255
 Job, Jr. 283
 Joseph 142, 270
 John 247
 William 185, 204, 248
 Benson, Isaac 247
 Beverly, John 185
 George, Jr. 204
 Bicknell, Joshua 464, 524
 Peter 48
 Bills of credit, acts for issuing, 149, 162, 177, 252, 261
 act for calling in 392, 413
 orders relative to 181, 214, 328
 report of committee on 328
 do. do., in 1764 407
 Bird, Nathaniel 140
 Bishop, William 203
 Bissell, Job 140
 Blackman, David 45
 Blackmarr, Nathaniel 203
 Blair, William 502
 Blanchard, Robert 247
 Blanding, Samuel 248
 Ephraim 248
 Bliven, Edward 488
 James 44
 John 141
 John, Jr. 141
 Nathan 44, 185
 Block Island, lottery granted to defray the expense of making a harbor on 308
 Boone, Samuel, Jr. 314
 Borden, Christopher 204
 Thomas 205
 Boss, Peter 142
 Boston, great fire in 251
 Bosworth, Benjamin 140
 Edward 153
 Henry 46
 Nathaniel 48, 121, 144, 206, 227
 Boundary line, north, papers relating to, to be collected 600
 report on 601
 Bours, John 527
 Peter 3, 143, 146, 205, 223
 Bourn, Shearjashub 158, 283
 Bowdish, Asa 185, 280, 301
 Abraham 203
 Joseph 203
 Moses 185, 203
 Nathaniel 134, 203, 241
 Bowen, Benjamin 223, 283
 Charles 142
 Elisha 141
 Eleazer 247
 Ephraim 386, 522, 542
 Henry 46
 Israel 543
 John 48, 144
 Jabez 46, 88, 205, 237, 249, 573
 Bowler, Charles 44
 Metcalf, 395, 450, 482, 493, 522, 604
 elected speaker 544
 letter to lords commissioners, relative to the Newport riot in 1756 568
 letter to Secretary Conway 569
 Bradford, Alexander 202
 Bradshaw, Thomas 555
 Daniel 314
 William 282, 490, 543
 Braley, Roger 142
 Boyd, Boid, Andrew 280, 301
 Brand, John 247
 Robert 205
 Brayton, Baulston 237, 282
 David 246
 Francis 4, 47, 143, 205, 523
 Bread, acts regulating assize of 373
 Brenton, James 246
 Samuel 209, 246, 355, 515
 Bribery, act relative to, repealed 526
 Briggs, Elvin 141
 George 141
 Job 44
 John, of East Greenwich 45
 John, of Little Compton 46
 Joseph 45
 Brightman, William 202
 Brinley, Francis 527
 Bristol, report on ratable estates in 157
 Broadstreet, Col. 163, 167, 217
 Bromley, Joshua 248

- Bromley, William.....141
 Brown, Abial.....4, 64
 Abraham.....46
 Alexander.....301
 Allen....48, 144, 196, 206, 216, 384
 Benjamin....43, 140, 196, 246, 301
 Beriah.....48, 144, 206, 355
 Chad.....307, 524, 544
 David.....581
 Ebenezer.....143
 Eleazer.....141
 Elisha, 3, 119, 143, 270, 283, 341, 522
 deputy governor.....431
 George.....3, 13, 20
 report of conference with Lord
 Loudoun.....28
 Hozanna, Jr.....247
 James.....314
 Jeremiah.....43
 Jesse.....247
 John.....43, 270, 355, 385, 573
 John, of Hopkinton.....142
 Joseph.....573
 Joshua.....134, 185, 241
 Moses, 246, 305, 396, 437, 464, 488,
 519, 588, 600, 601
 report on Massachusetts bounda-
 ry line.....604, 605
 Rev. Marmaduke.....386
 Nathan.....43
 Nicholas...3, 7, 13, 33, 126, 385, 517
 to confer with commissioners on
 the colonies.....403
 Obadiah, 3, 27, 49, 143, 152, 169, 189,
 205, 316
 Obadiah, of Gloucester.....45
 William.....142, 448
 Brown University, charter of.....385
 Brownell, Benjamin.....46
 George.....282
 George, Jr.....202
 John.....46
 Joseph.....280
 Joseph, Jr.....3, 143
 Joshua.....46
 Samuel.....353
 Thomas.....4, 205, 249, 282
 Bryer, Elias, 3d.....202
 Bucklin, Joseph.....120, 270
 Budlong, John, Jr.....44
 Samuel.....140
 Buffum, Jedediah.....203
 Bull, Joseph.....146
 Nathan.....246
 Bullock, Christopher.....203
 Burdick, Elias.....248, 280
 John.....142, 203
 Parker.....204
 Robert, Jr.....141
 Samuel, Jr.....272
 Burket, Thomas.....185, 241
 Burlingame, Ephraim.....204
 Jabez.....248
 Burlingame, John.....142
 Moses.....142
 William.....203
 Burr, David.....489
 David, Jr.....433
 Levi.....202
 Burlison, Edward.....247
 Burrington, Robert.....313
 Burton, John.....315, 488
 William.....144
 Bushee, John.....45
 Butler, Daniel.....204
 Button, Mathias.....204
 Butts, Enoch.....354, 522
 Buxton, Caleb.....203
 Byrn, Daniel.....185, 241
 Cahoone, James.....43
 Campbell, Archibald.....543, 554
 Charles.....204
 Tamberlin.....134, 185, 241
 Canada expedition; letters from
 William Pitt, relative to, 39, 113,
 115, 178, 180, 234, 262.
 orders relative to.....117
 act for raising troops for....129, 273
 letter from Governor Pownall,
 relative to.....136
 letter from General Abercrombie
 on.....136
 letter from Governor Fitch, of
 Connecticut, with proceedings
 relative to....139
 troops raised for, 190, 207, 213, 239,
 252, 254, 300, 305, 331
 General Amherst's letters rela-
 tive to, 198, 200, 231, 232, 243, 244,
 302, 303, 309 to 312.
 the fall of Quebec.....232
 general thanksgiving for the re-
 duction of.....259
 Earl of Egremont's letters rela-
 tive to.....296, 298
 payment on account of....341, 394
 Capron, Charles.....308, 405
 Oliver.....204
 Jonathan.....249
 Card, Benjamin.....204
 James.....246
 Jonathan.....44
 Joseph, Jr.....204
 Carey, Nathan.....433, 490
 Peleg.....140
 Careless, Thomas.....545
 Cargill, James.....142
 Carpenter, Benjamin.....247
 Comfort.....280
 Edward.....247
 Isaac.....248

- Carpenter, Jabez 201
 Oliver 202
 Thomas, Jr. 247
 Carr, Benjamin 185
 Caleb 51, 490, 523
 Charles 206, 314
 Ebenezer 202
 Edward 4, 47
 Esek 134
 James, Jr. 203
 John 45
 Mary 577
 Nicholas 45
 Robert 142, 524
 Samuel 522
 Thomas 282
 William 142
 Carthage, expedition to 10
 Carey, Nathaniel 283
 John 202
 Barnabas 246
 Case, Mitchel 134, 185, 241, 280
 Casey, Thomas 4, 47
 Caswell, David 142
 Cattle disease 342
 Chace, Abraham 354, 464
 Borden 44
 Nathan 4
 Samuel 30, 189, 282, 305
 William 142
 Chadwick, Jonathan 140
 Chaloner, Walter 10, 524
 Champlain, Christopher 48, 206, 271
 Christopher, Jr. 210
 Daniel 185
 Jabez 140, 397
 John 203, 272, 314
 Stephen, Jr. 44
 Thomas 44
 Channel, Edward 81
 Chapman, Edward 43
 John 282, 528
 Chappel, Caleb 247
 Checkley, William 477
 Child, Cromel 396, 523, 530
 Caleb 248
 John 530
 Sylvester 397
 Chillson, Joseph 45
 Christie, Captain C., letters to Gov.
 Greene 82, 83, 84, 86
 Chipman, Handley, lottery granted to 161
 Church, Charles 247, 283, 490
 Edward 140
 Peter 204
 Rufus 81
 Thomas 4, 48, 177, 223, 366
 Channing, Edward 391
 Clap, Silas 202
 Clarke, James 370
 John, of Middletown 250
 Clarke, Jonathan 202
 Joseph 44, 143, 206, 315
 Joshua, of Westerly 4
 Joshua, of Richmond 46
 Joshua, of Hopkinton 48, 144
 Latham 4, 47, 205
 Latham, of Newport 140
 Peace 142
 Samuel 204
 Shearman 43
 Simeon 397
 Uriah 142
 William, Jr. 5
 William, son of Thomas 142
 Claude Marie, ship, documents rela-
 tive to 442, 449
 report on the case 480
 Clements, Thomas 248
 Coal mine in Providence, petition
 for mining 537
 Coddington, John 66
 William 94
 Coffin, Paul 202
 Coggeshall, Daniel, 57, 143, 301, 313
 Gideon 46
 Joseph 148
 Joshua, Jr. 47
 Matthew 46
 Newbey 397
 Nathaniel, Jr. 515
 Solomon 220
 Thomas 581
 Thomas, Jr. 543
 William 433
 Cole, Ebenezer 250, 314
 Hugh 141
 John 22, 153, 305, 464, 522
 Joseph 204
 Thomas 48, 144, 206
 William 202
 Colegrove, Francis 142
 Oliver 248
 William 247
 Collins, Henry 173, 238
 Hezekiah 48
 Joseph 248
 John 577
 Thomas 185, 241
 Colville, Admiral, letters from, 111, 231,
 343, 376
 relative to Newport riot 423-29
 Colvin, James 204
 Josiah 141
 Stephen 45
 Colwell, John, Jr. 248
 William, Jr. 203
 Coman, William, Jr. 141
 Commins, Joseph, Jr. 204
 Commissioners of trade and planta-
 tions, letters from 369, 457
 Comstock, Ezekiel 481

- Comstock... Gideon, 143, 230, 284, 604
 James 43
 Jonathan 247
 Nathan 43
 Samuel 141
 Thomas, Jr. 544
 William 543
 Condry, Rev. Jeremiah 386
 Congdon, Ephraim 578
 James, son of Joseph 247
 John 3, 272
 John, of Exeter 45
 John, of Cranston 46
 John, Jr., of North Kingstown 141
 Joseph 578
 Samuel 203
 William 203
 Connecticut, letters from the governor of 364, 373
 reference to, relative to Rhode Island and Massachusetts boundary line 604
 Convention of the British colonies at New York 449
 do., instructions to commissioners, 450
 report of the commissioners to 461
 resolves passed at, October, 1765 465
 address to the King, from 466
 memorial to the House of Lords, from 468
 petition to House of Commons, from 469
 Conway, secretary, letters from, 445, 484
 relative to disturbances in Rhode Island 481
 repeal of stamp act 486
 Cooke, Cook, Nicholas 3, 33, 205
 Lieut. Governor 542, 580
 Peter 546
 Samuel 45, 308, 405
 Silas 183, 203, 220, 287, 542
 Thomas 247
 Walter 204
 William 396, 581
 Cooper, Gilbert 203
 Grey 491
 James 203
 Thomas 203
 Cornell, Benjamin 26
 George 140, 365
 memorial from 265
 letter to General Amherst 312
 George, son of Clarke.. 185, 241, 280
 Gideon, Jr. 201
 Jonathan 396
 Walter 143
 Corsa, Lieut. Col. 167
 Cottrel, Thomas 301
 Counterfeiting, act against 519
 Cowley, Joseph 43
 Cozzens, Matthew 140
 Crandall, Benjamin 204
 Eber 204
 John 433, 582
 John, Jr. 204
 Joseph 522, 543
 Nathaniel 204
 Crandall, Peter 45
 Robert 44
 Samuel 454
 Samuel, of Hopkinton 204
 Samuel, of Tiverton 142
 William 44
 Cranston, Jeremiah 43
 John 45
 Samuel 43
 Thomas, 3, 49, 146, 181, 210, 239, 251
 Crawford, Joseph, Jr. 202
 Crocker, George 204
 Cross, Edward 241, 280
 Peleg 523
 Crowley, Thomas 140
 Crown Point bills 29, 30, 93
 Crown Point expedition 6, 21
 expenses of 91
 act to provide for expenses of 102
 letters from 224, 231
 Cummins, James 46
 Joseph 203
 Currency of Rhode Island, from 1751 to 1763 359
 report committee on, in 1764 407
 Currie, Samuel 305
 Cushing, Benjamin, Jr. 43, 237
 Michael 202
 Daniel, James 598
 Dartmouth, Lord 501
 Davenport, Gideon 246
 John 46
 Thomas 204
 William 248
 Davis, Aaron 46
 Edward 45
 Joseph 396
 May 140
 Robert 45
 Simeon 250
 Urian 202
 Dayton, Isaac 223
 Deak, John 204
 Dean, William 141, 247, 307
 Deur, fine for the killing of 21
 Delignory, General 225
 DeLancey, Jas., Governor of New York, letters from 70, 99
 De La Touche, Mons. 310
 Dennis, Abraham 140
 Denvay, Daniel 45
 Deputies, act relative to the choosing of 295
 Deserters, act relative to 178, 261

- Dexter, Benjamin142
 Gideon202
 John, of Cumberland, 4, 144, 177, 283, 293
 John, of Cranston144, 206
 Knight19, 270, 356, 544
 William543
 Diamond, Benjamin202
 Dickens, Amos202
 Diman, Nathaniel142
 Dockery, John239
 Dogs, act relating to295
 Dolphin, sloop146
 Donnison, William19
 Dorr, Aaron43
 Douglass, William43
 Doun, Volkert, Jr.188, 196, 229, 448
 Downer, Silas202, 448
 Draper, Simeon315
 Drivenels, Stephen45
 Drown, Solomon385, 580
 Dunn, Samuel, letters granted to308
 Dunham, Azariah386
 Benjamin140
 Daniel577
 Duprey, John532
 Durell, Admiral, Ph., letters from, 197, 225
 seamen sent to208
 Durfee, Durfee, Gideon4
 Job44, 282
 John247
 Joseph142
 Samuel48, 144, 250, 581
 William, son of Samuel46
 Dutch ports, provisions not be ex-
 ported to11
 Dwelley, Daniel248
 Dyer, Samuel4
 Dyre, Edward140
 George203
 Earle, Oliver282, 431, 542
 William249
 East Greenwich, the Assembly to
 meet in211
 Easton, Edward204
 James310
 Job140
 Jonathan276
 Nicholas3, 46, 143, 205, 249, 542
 Peleg43
 Eaton, Rev. Isaac386
 Eddy, Bernard43
 Benjamin134, 185
 Daniel290
 Enos247
 Esek246
 Peter141
 Richard141
 Zephaniah205
 Edwards, Daniel46
 Edwards, Rev. Morgan386
 Edmunds, James43
 Joseph143, 206
 Eldred, Holden203
 John249
 Stephen45
 William241, 280
 Egremont, Earl of, letters from, 296, 298
 Election, act regulating the256
 Elliot, Robert43
 Ellery, William146, 386, 517, 582
 Edward501
 Embargo, orders relative to, 53, 148, 318, 323
 Essex, Hugh140
 Estates, intestate, act relative to, 566, 597, 605
 Estes, John204
 Executors and administrators, act
 relative to606
 Exeter and South Kingstown, re-
 port on the boundary line be-
 tween61
 Eyres, Thomas385
 Thomas, son of Nicholas140
 Fairfield, Abraham203
 Fales, Nathaniel4
 Falmouth, Viscount502
 Farnum, John141
 Fees, act regulating413, 587
 Fenner, Arthur of Cranston241
 Arthur, Jr.185, 280, 385
 Edward, Jr.204
 John223
 Richard250
 Fetteplace, Jonathan44
 Samuel44
 Field, William432
 Finker, Edward596
 Finney, Nathaniel202
 Fish, Allen44
 Daniel142
 David, Jr.44
 Ebenezer142
 Jeremiah43
 Fisher, Barzillai202
 Fisheries, in Seekonk river293
 Fisk, Asa246
 Jeremiah247
 John523
 John, Jr.203
 Joseph546
 Fitten, John202
 Fitch, Governor of Connecticut, let-
 ters from138, 364, 373
 Fitzherbert, William501
 Flags of truce, report relative to173
 act, relative to174
 Follet, Abraham142
 Fones, Daniel176

- Fones, Samuel.....141
 Forrester, John.....246
 Fort George.....18, 37, 133
 Fort Royal, capitulation of.....310
 Fort Stanwix.....316, 332
 Fort William Henry, relief sent to, 75, 84
 invested by the French.....82
 capitulation of.....84
 do., and massacre at.....86
 order in relation to the capitula-
 tion of.....155
 operations at, and surrender of, 164,
 167
 Foster, Benjamin.....142
 Robert.....202
 Fourtane, Charles.....202
 Fowler, Christopher.....141
 George, Jr.....44
 Samuel.....370, 515
 Fox H., order from.....56
 John.....142
 France, trade with, prohibited..58, 259
 repeal of act relative to.....147
 Franklin, Elisha.....141
 George.....314
 John.....44
 lottery granted to, to build pier..384
 Samuel.....144
 Stephen.....140
 Freebody, Samuel.....287, 315, 601
 Thomas.....522, 580
 John.....369
 Freeborne, Jonathan.....249, 281, 522
 Robert.....292
 Freeman, acts and votes relative
 to.....323, 343
 French prisoners, orders relative to, 50,
 57, 93
 Frontenac, expedition against.....166
 Fry, Thomas.....280, 301
 Thomas, Jr.....185, 241
 Fuller, Francis, Jr.....45
 Fulling mills, lottery to build a bridge, 398

 Gage, General Thomas, letters from, 376,
 Gano, John.....386
 Gardner, Benjamin.....133, 144
 Clarke.....203
 Caleb, Jr.....43, 248
 Ezekiel.....431, 581
 Ezekiel, Jr.....247, 314
 George.....25, 48, 144, 250
 Henry.....205, 249, 489
 Henry, Jr.....246
 James.....143
 Jeremiah.....204
 John, Deputy Governor, 3, 143, 205,
 248, 281, 313
 Chief Justice.....48, 144
 son of William.....140
 John, of North Kingstown.....44
 Gardner, John, of Jamestown.....203
 Nathan.....524
 Nathaniel, Jr.....44
 Nicholas.....190, 223, 251, 284
 Nicholas, Jr.....524
 Silas.....5
 Sylver.....45, 582
 Thomas.....524
 William.....532
 William, of Exeter.....142
 William, son of Benoni.....140
 Gascoyne, Bamber.....353
 Gavitt, Joseph.....44
 Stephen.....141
 William.....247
 General Assembly, relating to the
 sitting of.....211
 fines for non-attendance at.....335
 fines for non-attendance increased,
 602
 General treasurer, salary increased, 109,
 213
 reports on accounts of.....183, 222
 George 2d, order in Council from.....56
 death of; funeral ceremonies in
 Newport, on account of.....266
 George 3d, proclaimed King.....266
 proclamation of peace.....366
 petition of the Governor and
 Company to, relative to tax,
 stamp duties, etc.....414
 George, Thomas.....524, 577
 Gibbs, Abel.....26, 45
 Alanson.....246
 George.....43, 370, 515
 Thomas.....248
 Gifford, John.....205
 Recompence.....204
 Stephen.....142
 Giles, William.....246
 Goddard, Beriah.....391
 John, son of John.....203
 Thomas.....81, 391
 Godfred, Caleb, Jr.....246
 Goldthwayte, Stephen.....247
 Gomes, Antonis Franco.....184
 Goold, Gould, Benjamin.....248
 John, Jr.....142
 Nathaniel.....248
 Gorton, Benjamin.....44
 Benjamin, Jr.....44
 Edward, Jr.....202, 524
 Othniel.....4, 47, 143, 181, 205, 289
 Grafton, Duke of.....502
 Gray, Ebenezer.....140
 Edward.....432, 523
 Thomas, Jr.....142
 Greaves, Rev. John.....386
 Greene, Abraham.....141
 Benjamin, son of Nathaniel, Jr.....44
 Benjamin, of Newport..140, 270, 354

- Greene, Benj., of East Greenwich, 176, 282
 Caleb 4, 144, 202, 206, 314, 523
 Christopher 202
 Daniel 4
 Eleazer 45
 Elisha, Jr. 398
 Isaac 47, 282
 Jabez 522
 James 4
 Jeremiah 26
 Job, of Coventry 4
 Job, of West Greenwich 203
 Joseph, of Jamestown 45
 Joseph, of Hopkinton 204
 Joshua 202
 Nathaniel 246
 Nathan 45
 Philip 282, 581
 Richard, son of John 202, 431
 Rogers 140
 Samuel 313
 Thomas 4, 6, 24, 175, 223, 251, 522
 Thomas, son of Fones 141
 Thomas, son of Nathaniel 141
 William, Governor 46
 letter to Lord Loudoun 53
 decease of 123
 William, son of William G., 2d 44
 Greenhill, Jonathan 248
 Nathaniel 248
 Greenman, Benjamin 44
 James 247
 Sylvanus, Jr. 203
 Grelea, John 257
 Gridley, Richard 117
 Grover, John 247
 Stephen 45
 Guerchy, M., letters relative to the
 Claude Marie 442
 Guild, William 142
 Guile, Joseph, Jr. 203
 Gulley, Jonathan 141
 Hacker, Caleb 157
 Halifax, Earl of, letters from 404, 442
 Earl of 74, 232
 seamen sent to 208
 Hall, Abial 396
 Benoni 47, 144, 163, 206
 Charles 141
 Christopher 206
 Daniel 26
 Ebenezer 247
 George 140
 Henry 163
 Hezekiah 204
 Isaac 141
 Jeremiah 246
 Jacob 204
 Joseph 306
 Preserved 4, 47
 Hall, Robert 247
 William 144, 250, 282
 Hambleton, Benedict 141
 John 141
 Hamman, Jonathan 410
 Hammond, Amos, 3d 247
 John Arnold 140
 Elnathan 140, 162
 Joseph, Jr. 577
 Polipus 532
 Thomas 246
 William 598
 Hamilton, W. G. 71, 232
 Hanson, Hans 7, 8
 Harding, Benjamin 246
 Hardy, Sir Charles 70
 James 202
 Hargill, Christopher, 26, 185, 241, 280,
 301, 318, 363
 Harkness, Adam 45
 Harris, Andrew 205
 Charles 4, 489, 523
 Christopher 47, 241
 David 209, 238, 580
 Gideon 543
 Henry 3, 46, 250, 290, 523
 Josiah 205
 Joseph, of Cranston 206, 250
 Joseph, of Gloucester 247
 Joseph, of Johnston 248
 Richard, Jr. 141
 Toleration 44
 Harrison, Ensign 217
 Joseph 322
 Peter 13
 Uriah 141
 Harry, Christopher 598
 Henry 598
 Hart, Jonathan, Jr. 204
 Robert 81
 Hartford, congress at, to consider
 the Canada expedition 118, 122
 report of the convention, at 123
 Hartshorn, Stephen 202
 Haszard, Carter 44, 204
 Enoch 141
 Jeffrey 143
 Joseph 249, 251, 253
 Oliver 581
 Robert, of South Kingstown 61
 Robert, of West Greenwich 142, 247
 Samuel 247
 Stephen, Jr. 143, 205
 Thomas 252, 431
 William 4, 47, 143, 282, 581
 Havanna, reduction of 339, 363
 Rhode Island troops at 340
 Hawkins, Abraham 246, 280, 301
 Benjamin, executed for piracy 258
 Daniel 248
 Elijah 247

- Hawkins, Isaiah 205, 249
 James 202
 Joseph 202
 Thomas 203
 Uriah 141
 William 543
 Hazard, George 313, 493
 report on paper money 329
 Joseph 459, 522
 Robert 578
 Stephen 581
 Stephen, Jr. 385
 Thomas 46, 386, 578
 William 543
 Havens, Cornelius 45
 Hearn, Morris 202
 Samuel 26
 Heath, John 43
 Heffernan, Jeremiah 43
 John 202
 Helme, James 237, 299, 524
 Nathaniel 26, 176, 316
 Oliver 241
 Henry, Patrick 452
 Samuel 248
 Herndon, Hezekiah 308, 405
 Obadiah 141
 William 301
 Hernden, Isaiah 45
 Preserved 45
 Herrington, Ebenezer 203
 Hertford, Earl of 502
 Hicks, Thomas 46
 Hill, John 59
 Matthew 203
 Roger, Jr. 146
 Thomas 429
 William 46
 Hillsborough, Earl of, letters from, 539,
 541, 545, 555, 558, 571, 572, 579,
 597.
 Hilyard, Oliver.. 314
 Hiscox, Ephraim 247
 Nathan 247
 Hicks, Weston 580
 Hoar, Edward 141
 Hezekiah 142
 Hoil, James 224
 Holden, Charles, Jr. 202
 Thomas 542
 Holderness, Earl of, letters from,
 relative to embargo 53
 letter relative to privateers 55
 Holburne, Admiral, letter from 56
 Holloway, Benjamin 44
 Jonathan 44
 Joseph 45, 196
 Holmes, John 204, 489, 523
 William 204
 Honeyman, James, 3, 28, 46, 143, 205,
 281
 Hopkins, Abner 141
 Beriah 301
 David 247
 George 7
 Eseck 305, 354, 396, 543
 Isaac 73
 Joseph, son of William 203
 Robert 134, 142
 Rufus 573
 Samuel 142, 489, 523
 Stephen, Governor, 3, 67, 123, 142,
 205, 248, 281, 353, 395, 523
 sues Samuel Ward, for defama-
 tion 68
 letters to General Amherst, 233, 243,
 309, 374
 letter to Col. Babcock 234
 letter to William Pitt 263
 do. to Joseph Sherwood 286
 his "Rights of the Colonies Ex-
 amined," ordered to be printed, 412,
 416
 message relative to the stamp act, 414
 history of his difficulties with Gov.
 Ward 548 to 554
 Tibbits 144, 177, 185, 241, 280
 Zebedee 141
 Zebedee, Jr. 203
 Hopkinton, act setting off the town of, 31
 Horton, John 203
 John, Jr. 203
 Housonville, Count de 343
 Howard, Daniel 45
 Martin 336, 369, 514, 589
 Martin, Jr. 257
 Howe, Lord, death of 164
 Howland, Daniel 210, 391
 Isaac 205
 Thomas 4
 Hoxie, Hoxsie, Barnaby 204
 Gideon 4, 47, 272, 283, 523
 Joseph 144, 272
 Hudy, Thomas 140
 Hulet, Mason 247
 Hull, Edward 489
 Robert 143, 459
 Humphreys, Humphrey, 4, 144, 177, 250
 Hunt, Bartholomew 44
 Benjamin 270
 George 43
 Simeon 202
 Hunter, Andrew 287, 527
 Doctor 152, 163, 166
 Henry 140
 Hunt's River Bridge 237
 Huntington, Joseph 246
 Hussar, frigate 324, 330, 334, 374
 Hyams, Spink 204
 Ide, Timothy 143
 Ingraham, Isaac 43

- Ingraham, Jeremiah.....204
 Inhabitants of towns may prevent
 persons from becoming such....465
 Innkeepers required to entertain
 recruits120
 Inman, Abraham.....45
 Edward, Jr.247
 Israel203
 Oziel45
 Insolvent estates, act for the equal
 distribution of177
 act relative to ...294, 343, 465, 539
 Ireson, Ichabod.....220
 Irish, Jonathan142
 Iron, inquiries as to manufacturies of .88
 privileges to manufacturers of....573
 Irving, John598
- Jackson, George... ..270, 282, 542
 Richard287, 537
 Samuel, petition relative to a coal
 mine, near Providence.....537
 Jacob, Joseph18
 James, Abel.....204
 William248
 Jamestown ferry33
 light house, land to be bought for.516
 Jeffers, Caleb246
 Jenckes, Daniel, 6, 38, 47, 88, 146, 189,
 205, 223, 251, 437, 604
 Ebenezer134, 223
 Ellis223
 John216, 287
 Stephen293, 523
 Jenkins, Robert, Jr.....209
 William142
 Thomas185
 Jenyns, Soame...71, 232, 333, 369, 375
 Jepson, John.....205, 284
 Jillson, Enos46
 Jones, Robert Shettel.....386
 Rev. Samuel386
 Johnston, Augustus144, 257, 589
 letters relative to stamps....477
 relative to Newport riots....601, 602
 Isaac581
 John433
 John, Jr.....490
 Johnson, Joseph142, 206
 Obadiah396, 543
 Sir William165, 224
 letter to Gov. Hopkins.....294
 Johnston, act establishing the town
 of194
 Joslin, Abraham204
 John45
 Jurors, acts relative to.....342
- Keech, Amos45
 Joseph142
 Keene, Charles.....202, 542
- Keith, James.....527
 Kelly, Isaac248
 Kent, Samuel248
 Kerby, Joseph140
 Keyes, William.....247
 Kilby, Christopher21, 129
 Kilby, Mr.281
 Kimball, Asa.....185, 241, 280
 Joseph, Jr.....203
 King in Council, order of502
 King, Jeremiah46
 Joshua203
 Kingsley, Jedediah203
 Kinnicutt, John283
 Joseph43
 Kinnicut sloop taken by Spaniards..437
 Kinsman, Melchisedeck.....554
 Kynion, Kinyon, Giles142
 James203
 Joram45
 Nathaniel142
 Thomas315
 Thomas, Jr.....203, 248
 William142, 543
 Kirby, James... ..44
 Kirvine, Morgan.....44
 Knap, John,.....202
 Knight, Benjamin.....523
 William, Jr.....248
 Knowles, Henry43
 Jonathan202
 Knox, John43
- Lake George, operations at....163, 164
 Lanphcar, Benjamin202
 Lapham, Abner46, 543
 Thomas543
 Larkin, Nicholas.....27, 144
 Stephen142
 Latham, John142
 Robert, Jr.....45
 William248
 Lawful money, act defining358
 Lawrence, Daniel204
 William220
 Laws to be revised and printed, 172,
 257, 336, 460, 481, 517
 report on the revision of the laws, 506
 Lawton, Caleb.....141
 George258
 Giles141
 Isaac140
 Jeremiah202, 542
 Josiah44
 Robert3, 46, 313
 Lechmere, Nicholas.....453, 455
 Lee, Jonathan.....44
 Joseph142
 Leonard, James.....142
 Leslie, Capt. Charles, letters to
 Gov. Ward456, 457

- Le Roy, Pierre, naturalized 373
 Lewis, Abraham 141
 Arnold 247
 Daniel 204
 Elias 142
 Ebenezer 204
 James 46
 John, Jr. 448
 John, of Exeter 46
 John, of Westerly 247
 Jonathan, Jr. 142
 Nebemiah 45
 Liberties, declaration of, by Congress, at New York, October, 1765 465 to 470
 Liberty sloop, account of the destruction of, in Newport, in 1769 593
 Light house, act regulating 566
 Lillibridge, Edward 204
 John 44
 Robert 246, 577
 Robert, Jr. 246
 Lindsay, Lindsey, David 202
 Thomas 246
 Lippitt, Jeremiah 3, 46, 276
 Joseph 47, 57, 88, 249, 366
 Liquors, act preventing sale of, to soldiers 186, 578
 near Friends' Meeting 578
 excise on 290
 licenses to sell 343, 461
 Little, Fobes, Jr. 248
 Littlefield, John 4, 47, 396
 Nathan 143
 Nathaniel 314
 Little Rest Hill, troops to rendezvous at 78
 Lockwood, Benoni 202
 William 202
 Logan, William 386
 Lords commissioners, orders from, relative to the manufacture of iron 71
 do. do. relative to the peace with France 353
 do. do. relative to the customs, 371, 501
 Lords justices, letter from, directing a public thanksgiving on the fall of Quebec 232
 Lottery, for building Fort George 8
 for paving Newport streets 105, 287
 for building Masons' Hall, in Newport 209
 for court house and library, in Providence 215
 for library, in Providence 236
 for buying land for the court house, in Providence 237, 254
 for building market house, in Newport 238, 292
 Lottery, act allowing directors of, to call special courts 262
 for paving streets in Providence, 269, 287, 305
 to build meeting house in Johnston, 290
 to protect fish in Seekonk river 293
 to re-build Weybosset Bridge 294
 for building a steeple to St. John's Church, Providence 304
 to William and Henry Wall, North Kingstown 305
 for a road in Glocester 307
 for a harbor on Block Island 309
 to re-build the bridge at Woonsocket Falls 308
 to Samuel Dunn, to remunerate him for certain losses 308
 to Nathaniel Helme 316
 to Edward Wells, of Hopkinton 321
 for making a street in Providence, 356
 to build a bridge at Fulling Mills, 398
 to build a steeple to Trinity Church, Newport 527
 to build parsonage house of Baptists, in Warren 530
 to pave Mill street, in Newport 532
 for road to Plainfield 543
 for building Long Wharf, in Newport 577
 for building a work house in North Kingstown 598
 Loudoun, Lord, instructions to commissioners to 9, 10
 commissioners to meet 13
 do., report of conference with 28
 Rhode Island troops placed under 54
 troops required by 27, 89, 110
 letters from, 15, 40, 52, 70, 87, 99, 100, 109, 112, 116, 122
 letter to, from Gov. Greene 53
 invites a convention at Hartford, to consider the Canada expedition 117
 instructions to commissioners to do 118
 memorial to, from Rhode Island 125
 Louisbourg, seamen sent to 208
 Love, Thomas 204
 Lovet, James 46
 Low, Anthony 542
 Samuel 356
 Stephen 48, 282
 Lowndes, Charles 460
 Lyndon, Joshua 48
 Josias 144, 145, 175, 206
 Governor 542
 letters to the Earl of Hillsborough, 547, 548, 561, 563, 566
 letter to King George 3d 559
 to Joseph Sherwood 569
 Samuel, Jr. 515
 Lyon, Henry 140

- Lucena, James, naturalized.....262
monopoly of making soap, grant-
ed to267
Luther, Consider.....204
Seth43
Mad dogs, act relative to.....606
Maginel Sieur, of Dunkirk442
Gov. Ward's letter relative to.....474
Maidstone ship, burning of the boat
of, at Newport.....444
papers relative to.....445, 446
Gov. Ward's letter relative to.....485
Malbone, Evan.....287, 527
Goodfrey, Jr.....210
John.....218, 287
Man, Benjamin.....305
John208
Oliver203
Manchester, David204
Isaac.....528
John241
John, of Portsmouth.....185, 202
Matthew48, 283
Manning, Rev. James386, 580
Manton, Daniel.....280
Marsh, Jonathan, Jr.....515
Marchant, Henry.....554, 577
Marshall, John.....545
Martin, Oliver.....396
William176, 205, 247
Martindale, William142
Mason, Benjamin210, 216
James.....432
Rev. Russell.....386
Massachusetts, resolutions from, rela-
tive to a convention of the New
England governments115
letters from, relative to do.115, 116
letter from, relative to a conven-
tion in New York.....441
Boundary, near Tiverton322
letter from the speaker of the
House of Representatives, to
Rhode Island, relative to acts
of Parliament, imposing duties.585
boundary north line, report on...604
Mathewson, Abraham.....248
Daniel247
Noah202
Thomas203
Zerobabel45, 142
Matteson, Jonathan, Jr.....45
Jonathan, son of Thomas45
Nathan45
Thomas247
William583
Mawdley, John209, 246, 522
Maxon, Maxson, Benjamin.....204
David44, 431
David, 2d386
Maxon, Maxson, Isalah204
Joseph202
John815
Rev. John386
Matthew543
Sylvanus248
Mayer, Christian120, 218
McCoon, David.....204
Samuel204
William204
Medbury, Isaac45
Mediterranean passes406
Mellish, William457
Metcalf, William.....371
Michiner, Capt. Abel252
Militia, act relative to178
see also *Troops*.
Millard, Nathan145, 283
Miller, Daniel, Jr.....248
Benjamin153
Benjamin, Jr.248
Jonathan301
James248
Nathan531
Mitchell, Hazadiah.....43
Thomas241
William3, 37
Moffatt, Dr. Thomas.....588, 597
report of committee on case of ...589
Gov. Wanton's letter relative to...590
Monkton, Major General.....310, 312
Montcalm, Gen., treaty with....86, 167
Montreal, great fire in 1765445
efforts for the reduction of240
Moon, Ebenezer, Jr.46, 142
Morell, John, naturalized.....343
Morris, Woodbury.....202
Morse, Valentine184
Mosier, Maxson.....202
Mott, Samuel81, 391
John247
Mowrey, Daniel, Jr.....489
Elisha, Jr.45
Jeremiah.....47, 148, 176
John247
Joseph208, 249, 282
Joseph, Jr.205
Nathaniel.....203
Philip, Jr.247
Mulkin, Henry141
Mumford, James202
Nathaniel327, 490
Peleg204
Peter223
Perry45
Samuel, of Newport.....43
Samuel, of Middletown142
Thomas218
William3, 37, 133
Munro, George391
Joseph153

- Munro, Joseph, estate of, to be sold, 226
 lieutenant colonel85
 Nathaniel.....93
 Nathan226
 Nathan, son of Bennet.....142
 Thomas196
 Murray, James, Governor of Canada; letter from, relative to fire in Montreal445
 Murrain, act to prevent the introduction of231, 342, 606
 Myus, Oliver.....247
 Nachecot bridge575
 Narragansett Indians relieved from colony rate14
 act relative to sale of the lands of, 221, 357
 lands to be set off to.....366
 report on the lands of.....401
 see also *Ninegret*, sachem.
 Nash, John43
 Joseph224, 305, 313
 Negus, John46
 Nelson, William391
 Newland, Lieut.319, 339, 374
 Newport, may levy tax to defray of watching51
 lottery for paving the streets of, 105, 369
 field officers in, exempt from jury duty109
 Masons' Hall in, lottery granted to raise the money to erect ...209
 act to prevent fast driving in ...231
 animals not to go at large in ...231
 lottery granted to build market house in.....238, 292
 committee to build do.255
 lottery granted to pave Thames street in268, 515
 engaged in illicit trade.....318
 act relative to taxes in.....326
 act relative to fires in.....342
 riots in, in 1764; letter from Secretary Sharpe, with papers relative to427
 riots and disturbances in. 427, to 430
 correspondence relative to, 453, to 459
 official report on459
 note relative to514
 letter of Governor Ward to Secretary Conway, relative to ...483
 lottery to build a steeple to Trinity Church in527
 lottery to pave Mill street in....532
 riots in, in 1756, Metcalfe Bowler's letters to England, relative to568, 569
 Trinity Church in, incorporated, 573
 lottery granted for building Long Wharf in577
 Newport, destruction of the British sloop Liberty in the harbor of. 593
 report of committee on riots of 1756.589
 Governor Wanton to the Earl of Hillsborough, relative to riot...599
 New York, convention of the British colonies at, in 1765.....449
 instructions to commissioners to...459
 report of do.....461
 proceedings of, and address from, to be sent to London463
 resolves of (1765).....465
 address to the King from.....466
 memorial to House of Lords from.468
 petition to House of Commons from469
 Ney, Philip248
 Niagara, surrender of.....274
 troops required at.....377
 Nichols, Benjamin49, 391
 Christopher26
 George202, 483
 John247, 453, 455
 John, Jr.45
 Joseph4, 47
 Jonathan601
 Samuel140
 Nightingale, Samuel.237, 371
 Paul581
 Ninegret, Thomas, sachem of the Narragansetts, votes, etc., relative to, 14, 221, 271, 357, 530, 533, 564, 573, 589, 598.
 deeds swamp in Charlestown ...534
 Noble, Mark26
 North Kingstown, St. Paul's Church in, may dispose of lands.....262
 North Providence, act to organize. 438
 boundary of, to be run... 441
 report of committee on boundary of.....448
 portion of, re-united to Providence, 528
 Northup, Immanuel47, 205, 523
 James141
 John581
 Rouse141
 Noyes, Sanford44
 Nutting, Jonathan248
 Nye, Jonathan142
 Oatley, Benedict.....44
 Ogders, William354
 Officers of the colony, act to protect. 51
 Old tenor, name of, act to put an end to.....392
 Olin, Jonathan203
 Oliver, Andrew, secretary of Massachusetts; letters from...115, 116
 Olney, Benjamin216
 Charles143, 262

- Olney, Ithamar.....202
 James.....47, 305, 451
 James, Jr.....43
 Jeremiah.....45
 Job.....582
 John.....440
 John, Jr.....202
 Jonathan, Jr.....202
 Joseph.....283, 313
 Capt. Thomas.....440, 582
 Oppanaug river, act relative to ves-
 sels in.....262
 Ormsby, Daniel.....46
 Orwell (London).....353, 369
 Osborne, Robert.....247
 Oswald, James.....71
 Oswego, operations at.....166, 377
 seamen taken at.....391, 490
 report to Assembly on.....504
 Overing, John Henry.....140, 287
 Owen, Daniel.....45
 Thomas.....19, 283, 542
 Owen, Owens, Thomas.....4, 206, 488
 Oysters, act to prevent the destroy-
 ing of.....508
 Packwood, Captain.....595
 Page, Ambrose.....45
 John.....45
 Joseph, Jr.....203
 William, gives land to build Provi-
 dence court house on.....32
 Paget, Henry.....305
 Pain, Paine, John.....203
 John.....4, 282, 431
 Royal.....126, 158
 William.....202
 Palmer, Lawton.....543
 Moses.....134, 185
 Nathan.....204
 Palmerston, Lord.....501
 Paper money. See *Bills of Credit*.
 Parcks, Samuel, executed for piracy, 258
 Park, Joseph.....119
 Thomas.....134
 Partridge, Richard, agent in Lon-
 don, death of.....214
 Pate, John.....202
 Pawcatuck fishery, act relative to 177,
 539
 Pawcatuck river, act relative to the
 turning of.....271
 Pawtucket bridge lottery.....405
 Pawtuxet Falls bridge.....109
 petition to set off from Warwick 435
 Payson, Charles.....202
 Peabody, Joseph.....46
 John, Jr.....204
 Pearce, George.....46
 Benoni.....305, 581
 Pearce, James.....46, 241
 Nathaniel.....126, 158, 251, 523
 Pardon.....44
 Samuel, of Bristol.....46
 Samuel, of Little Compton.....46
 Samuel, of Portsmouth.....202
 William.....47, 523
 Pease, Simon.....47, 93, 385
 Simon, Jr.....140, 527
 Peck, Israel.....26, 185, 241, 280
 Nathan.....280
 Nathaniel.....26, 134, 185, 241, 301
 Thomas.....248
 Peckham, Benjamin.....543
 Isaac.....46
 John.....203
 Jonathan.....46
 Joseph.....248
 Philip.....140
 Reuben.....140
 William, son of Samuel.....142
 William, 3d.....142
 Pendleton, Joseph.....205
 Samuel.....141
 Sylvester.....247
 William.....24, 48, 128, 145, 207
 Pepperell's, Sir William, regiment, 22, 85
 instructions to.....85
 Perkins, John.....142
 Perry, Edward.....582
 Edward, Jr.....44
 Perry, Freeman.....532
 Peters, William.....142
 Peterson, Joseph.....81, 391
 John.....204
 Petitions, act relative to.....95
 Petty, John.....248
 Joseph.....46
 Nathaniel.....204
 Phetteplace, Jonathan.....45
 Phillip, David.....598
 Phillips, Bartholomew.....45
 David.....45
 Frederic.....141
 Jeremiah.....141
 John.....45
 Isaac.....203
 Jeremiah, of Gloucester.....203
 Joseph.....45
 Peter.....385, 490
 Phillips, Richard.....44
 Thomas, Jr.....44
 Phinney, Elisha.....248
 Peirce, Ephraim.....204
 Pierce, George.....44
 Giles.....143, 294
 Preserved.....283, 432
 William.....44, 144, 581
 Pitman, Samuel.....140
 Saunders.....246

- Pitt, William, letter from, relative to the expedition against Canada.....39, 113, 115, 178, 255
 letter from, on naval affairs.....39
 letter relative to privateers.....100
 other letters from.....168, 262
 directs troops to be raised.....191
 Place, Anthony.....142
 Thomas.....141
 Politics in Rhode Island, review of, from 1758 to 1768.....548
 Pollock, Charles.....45
 Pooler, George.....142
 Porter, John.....204
 Potter, Abel.....47
 Abel, Jr.....208
 Caleb.....397
 David.....523
 Ezra.....45
 Henry.....202
 Ichabod.....246
 John.....5, 177
 John, Jr.....26, 134, 146
 John, 3d.....397
 John, of Scituate.....247
 Jonathan.....46
 Oliver.....141
 Philip.....248, 356
 Phineas.....44
 Robert, 49, 144, 146, 176, 206, 223, 272, 406
 Rowse.....488
 Simeon.....47, 282, 342, 553
 Stephen.....78, 144, 153, 177, 206, 282
 Thomas.....543
 Thomas, son of John.....46
 Thomas, Jr.....314, 396, 523
 William.....282, 366, 523
 report on the Indian lands.....401
 Pownall, Governor, letters from, relative to prisoners belonging to Rhode Island.....31
 letter from, relative to Fort Edward, 85
 instructions to Sir William Pepperell, relative to the Canada expedition.....85
 letters from.....87, 136
 Price, Benoni, Jr.....202
 Prideaux, General, death of.....224
 Prior, William.....280, 301
 Privateers, letters from Earl Holderness, with order relative to, 55, 56, 66, 104
 not to take slaves out of the colony, 64
 letter from William Pitt, relative to.....100
 Proud, William.....44
 Providence, pest house in.....13
 committee to select site for a new court house in.....182
 act relative to fires in.....183
 Providence, act dividing the town of, and setting off the town of Johnston.....194
 court house to be built in, 197, 207, 209
 court house destroyed by fire.....207
 appropriation for building, 215, 252, 270, 327
 total cost of.....301
 library to be purchased for.....214, 236
 lottery granted for raising money to buy land for court house in, 237, 254, 261
 lottery granted to pave certain streets in.....269, 287, 305, 356
 theatrical performances prohibited in.....325
 petition for dividing, granted.....435
 protests against the division of.....436
 act for the dividing of.....438
 refuses to assess tax.....494
 taxes to be paid by.....528
 petition for the division of.....528
 Provisions not to be exported to Dutch ports.....11
 Prudence Island, trained band to be formed on.....58
 Pulling, William.....185, 241, 280
 Quebec, the taking of.....232
 Queries from board of trade.....242
 Randall, Job.....4, 47, 143, 206
 John, Jr.....46
 Jonathan, 48, 143, 181, 205, 249, 522
 relative to Massachusetts and R. Island boundary line.....601
 report on.....604
 William.....247
 Randolph, Peyton, Payton, letter from.....586
 reference to.....602
 Rathbone, Rathbun, Benjamin, Jr.....45
 John, son of John.....204
 Oliver.....45
 Simeon.....204
 Thomas.....141
 Walter.....44
 Rates. See Taxes.
 apportionment of, to towns.....62, 96
 Ratable estates, acts relative to, 109, 205
 estimate of, in 1767.....576
 Rawson, Stephen.....19, 249
 Read, Daniel.....247
 Hanson.....45
 John.....52
 William.....3, 47, 143, 205, 282
 Redwood, William.....385, 516, 578
 William, Sen.....601
 Recruits to be received and entertained by the people.....120, 188
 Reeve, Richard.....596

- Roid, Capt. William, of the sloop Liberty.....594
- Rolph, Christopher.....26
- Remington, John.....523
Lippitt.....204
- Reynolds, Benjamin.....46
Elisha.....176, 385
Griindal.....248
Jabez.....44, 141
John.....4, 47, 144, 177, 249
John, tailor.....141
Joseph.....249
Joseph, Jr.....142
Jonathan.....203, 248
Oliver.....134, 248
Richmond.....204
Robert, Jr.....142
Thomas.....45
- Rhodes, Charles.....385
Nehemiah.....173
James.....249, 488, 523
- Rhode Island College, charter of, 1763.....385
- Rice, Ebenezer.....45
George, London.....353, 369
Henry.....249, 355, 524
Job.....202
John, of Coventry.....45, 396
John, of Warwick.....140
Nathan.....146, 185, 223, 251, 341
Randall.....47, 148, 249, 522
Thomas.....581
Thomas, Jr.....488
- Richards, William.....66
- Richardson, Thomas.....3, 48, 144, 206
gratuity of £1,000, to.....89
William.....140, 542
- Richmond, Duke of, secretary of state.....493
letters from.....497, 500
Adam.....204
Barzillai.....143, 251
Peres.....223
William.....3, 143, 205, 249
William, Jr.....134, 580
- Rights, Mathew.....577
- "Rights of the Colonies Examined," by Stephen Hopkins.....416
- Rivers, Joseph.....66
- Robbins, Caleb.....46
Daniel.....204
- Robinson, Rowland.....142, 249
Sylvester.....44, 489
Thomas.....239, 246
John, collector; correspondence relative to disturbances in Newport.....453, 455, 458, 459
letters relative to stamps.....476-77
makes complaint to the King's ministers against the colony.....532
Matthew.....534
- Robinson, Matthew, on committee relative to Massachusetts and Rhode Island boundary line.....601
report on.....604, 605
Sylvester.....574
- Rodman, Joseph.....140
Mary.....577
Thomas.....173, 196, 241
- Rodriguez, Joseph.....185
- Roffey, Solomon.....185, 241
- Rogers, Clarke.....27
Harper.....46
Josias.....43
William.....43
- Rose, Ezekiel, Jr.....202
Oliver Ring.....44
Samuel.....44, 134, 185, 241, 280, 301
Thomas.....135, 185, 241, 280
- Ross, Isaac.....44
Joseph.....203
Thomas.....141
- Round, John.....45
- Rounds, George.....246
- Rumreil, Ebenezer.....140
- Russell, Giles.....7, 26, 134, 185, 241, 280
wounded at Lake George.....165
Joseph, 144, 153, 202, 206, 227, 305
chief justice.....490, 540
Joseph, to examine flags of truce.....93
Jonathan.....204
- Sachem, William.....598
- Salisbury, Aaron.....231
Ephraim.....203
Gideon.....204
John.....246
Joseph.....248
Samuel.....203
Stephen.....203
Thomas.....247
- Sands, Edward.....47, 205, 249
- Ray.....202, 282, 523
- Sanford, Benjamin.....140
- Sandford, Restcome.....249
- Sarle, Thomas.....204
- Saunders, Abraham.....203
Elisha.....44
Edward.....522, 581
Gideon.....44
Hezekiah.....280, 301
Isaac.....203
Nathan.....202
Samuel.....26, 134, 185
Stephen.....488
- Sayles, Gideon.....45
Israel.....26
John.....4, 205
John, Jr.....451
- Scituate, refuses to assess tax.....494
resolution relative to.....520

- Scott, Edward 18, 123, 143, 322
 Scriven, William 202
 Seabury, Sion 204
 Seamans, James 203
 Jonathan 141
 Josiah 44
 Peleg 44
 Searle, Nathaniel 46, 313, 543
 Nathaniel, Jr. 581
 Richard 283, 432
 Richard, Jr. 250
 Seavers, Severs, David 410
 Richard 202
 Sessions, Darius 44, 216, 237, 313
 Lieutenant Governor 580
 Sharpe, Secretary, letter to Rhode
 Island, relative to disorders in
 Newport 427
 Shaw, Jeremiah, Jr. 241
 Nathaniel 596
 Shearman, Daniel, Jr. 141
 George 26, 134
 John 162, 402, 405
 John, Jr. 143, 147, 176, 205, 282
 Joseph 202
 Parker 44
 Robert Taylor 144
 Thomas, Jr. 44
 Sheehan, William 185
 Sheep, act relative to 539
 Sheffield, Benjamin 33
 Edmund 162, 309, 314
 George 354, 544
 James 13, 49, 92, 189, 276
 Joseph 247
 Josiah 523
 Shelburne, Earl of 353, 501
 letters from 503, 519
 Sheldon, John, of Portsmouth 247
 John, of Cranston 248
 Joseph 13, 385
 Nehemiah, Jr. 204
 Nicholas, Jr. 204
 Roger 204
 Shepherd, Benjamin 202
 Shepherdson, Nathaniel 204
 Sherburne, Benjamin, 223, 251, 283, 397,
 490, 544
 Sheriffs to give bond 49
 Sherwood, Joseph, appointed agent
 in London 223
 letters from 368, 484, 486, 571, 593
 relative to acts of Parliament 491
 Shippee, Shippey, Christopher 248
 Henry 203
 Joseph 203
 Nathan 45
 Solomon 203
 Thomas 45
 Shipping, duty augmented on 178
 Shrieve, John, Jr. 205
 Silliman, Ebenezer 139
 Simmons, Adam 46
 Benjamin 206, 250
 George 46, 489, 523
 Peter 46
 Simon, Peter 140
 Sisson, Gideon 577
 Peleg 202
 Thomas 322
 Slack, Benajah 248
 Benjamin 464
 Slade, Jonathan 386
 Slaves, forbidden to be taken from
 the colony, by vessels 64
 Slocum, Giles 47
 Peleg 185, 241, 280
 Samuel 26
 Samuel, Jr. 247
 William 44
 Sloop of war to be built 65, 96
 Sloper, W. 71
 Smith, Abraham 146, 223, 251
 Abial 202
 Benjamin 144, 307
 Daniel 543
 David 202
 Edward 134, 543
 Elisha 45
 Elisha, Jr. 203
 Enoch 45
 Ephraim 246
 Fones 247
 James 247
 Jeremiah, of Providence 202
 Jeremiah, of Scituate 141
 Jeremiah, Jr. 141
 Jesse 44
 Job 202, 581
 John, Capt., of Gloucester 4, 47
 John, Jr., do. do. 489
 John, of Providence 44, 305
 John, the 3d, of Smithfield 203
 Jonathan 45
 Joseph 45, 307
 Noah 141
 Richard, sheriff 544
 Richard, of Scituate 203
 Richard, Jr. 134
 Richard, Capt. 376
 Rufus 206, 397, 523
 Samuel 45
 Samuel, Jr. 205
 Simon 4
 Thomas 247
 William 47, 143, 196, 238
 Snell, Job 140
 South Kingstown, report on the
 boundary line of 61
 Southwick, Joseph 202
 Southwarth, Constant 144, 543
 Sowle, Edward 143

- Sowla, Henry 223
 William 247
 Spanish dollars, lawful value of 177
 Spaulding, Edward 142
 Spear, Speare, Spears, Elkanah 26
 Jonathan 185, 241, 280
 Spenar, Benjamin, son of William 247
 Caleb 44
 Job 396
 John 203
 Joseph 45, 309
 Nathan 203
 Rufus 283
 Thomas, son of Abner 247
 Spink, Ishmael 247
 Spooner, Charles 433, 490, 524
 Jethro 140, 202
 Joshua 246
 Sprague, Samuel 247
 Amos 308, 404
 Benjamin, Jr. 523
 Hezekiah 203
 Jedediah 203
 Jesse 248
 Obadiah 305
 Rowland 202
 Solomon 248
 Stafford, Joab 314
 Stukely 185, 241
 Thomas 44
 Stamp duties, resolutions of General Assembly relative to 451
 instructions to commissioners to New York, convention on 450
 disturbances in Newport, caused by 451
 correspondence with, collector relative to 452
 letter from the commissioners of the treasury, relative to 460
 resolves of New York congress 466
 correspondence relative to, 476-78, 484, 486, 491, 497, 498
 letter from Secretary Conway, announcing the repeal of 486
 news of the repeal of 493
 celebration of repeal of, in Providence 494
 Stanborough, John 204
 Stanley, E. 555
 Stanton, Joseph 47, 143, 251
 Joseph, Jr. 185, 543
 Robert 46
 Starling, Henry 246
 Steadman, Thomas, Jr. 247
 Stearns, John 140
 Steere, Elisha 203
 Jonas 307
 Richard 4, 47, 249
 Samuel 141
 Steere, Stephen 142, 523
 Thomas 482, 578
 Stelle, Isaac 283
 Stephens, Steven, Henry 44
 Simeon 44, 301
 William 202, 370, 515, 577
 Sterry, Nathan 202
 Steward, John 204
 William 202
 Stiles, Rev. Ezra 386
 sermon on George 2d 267
 John 142
 Stillman, Benjamin 202
 George 282
 Rev. Samuel 586
 Stockman, Jacob 140
 Stoddard, Benjamin 142
 Nathaniel 142
 Salisbury 248
 Stone, Ezra 45
 William, Jr. 46
 Stoneman, Samuel ... 124, 185, 241, 280
 Straight, Henry 141
 Joseph 44
 Sugars, confiscated 301
 Sugar act, remonstrance from R. Island, relative to 378
 Sunderlin, Daniel 581
 Sweet, Daniel, Jr. 202
 Eber 141
 Griffin 247
 Henry 247
 James 202
 John, son of Benjamin 141
 Samuel, Jr. 204
 Sylvester 142
 Thomas 44
 Sweeting, Job 44, 237
 Swinburne, Jr. 185
 Syme, James 37
 Tabor, Philip 177, 206
 Record 185, 241
 Tallman, Peleg 202
 Tallbee, Talby, Edward ... 26, 134, 185
 Tanner, Abel 582
 Benjamin, Jr. 45
 David 142
 James 162, 532
 Josiah 44
 John 204
 Nathan 248
 William, Jr. 45
 Tarbox, John 391
 Jonathan 44
 Samuel, son of John 141
 Taxes, acts and orders for the levying of, 25, 62, 66, 96, 105, 131, 177, 186, 212, 231, 262, 337, 373, 405, 464, 507, 518, 605.

- Tayer, Benjamin140
 Taylor, Job581
 Gideon204
 Taylor, George305
 John386
 John, son of Thomas247
 Joseph208, 544
 Phillip204
 Robert, son of Peter43
 William202
 Tefft, Tefft, James.....141
 John247, 301
 Peter, Jr.141
 Samuel48, 177, 206
 Terry, Joseph44
 Tew, Azariah247
 Henry, Jr.....142
 James, Jr.....26, 72, 134, 140, 185
 Paul.....173, 315, 433, 524
 Thomas.....134, 185, 241, 301
 Thanksgiving, a day of, ordered, 228,
 464, 497
 do. for peace with France, in 1763,
 366
 Thayer, David44
 Samuel, committed to jail for
 abusing the Assembly5, 15
 Theatrical entertainments, act to
 prevent325
 Thomas, Arnold44
 Peleg5, 48
 Vial203
 Thompson, Benjamin.....203
 Ebenezer246, 287
 Elias315
 Thomson, Samuel.....203
 Thorne, William203
 Thornton, Josiah283, 543
 Richard, Jr.....44
 Samuel.....247, 301
 Thomas247
 Throop, Billings46
 Thomas126, 158
 Thurber, Joseph44
 Samuel.....202
 Thurston, Edward385
 Edward, Jr.....327, 479
 Rev. Gardner386
 Peleg.....219, 353, 522
 Samuel173
 Tibbitts, Henry, Jr.44
 John202
 Ticonderoga178, 217
 action at.....217, 224
 Tillinghast, Benjamin.....282, 543
 Charles.....598
 Daniel287, 437
 Joseph202
 Joseph, son of Philip....202
 John.....57, 385
 Tillinghast, Nicholas .126, 216, 233, 305
 Pardon.....141, 249
 Robert142
 Thomas140
 Tompkins, Samuel302
 Tourgee, Peter, Jr.202
 Tower, Benjamin464
 Enoch.....204
 Townsend, Colonel217
 Henry202
 Solomon.....201, 370
 Treasury, act for supplying the.....170
 Trials, act providing for new.....95
 Trinity Church, Newport, incorpor-
 ated573
 Tripp, Anthony202
 Caleb.....134, 185, 241
 Isaac140
 Job202, 237, 533
 Job, Jr.45
 Othniel241
 Thomas142
 William134, 185
 Troops, acts for raising, 22, 27, 34, 51,
 75, 106, 129, 154, 181, 190, 207,
 213, 239
 pay of, to be increased67
 orders relative to, 27, 68, 130, 145,
 148, 188, 190, 259
 Trumbull, Jonathan.....139
 William.....4
 Tucker, Benoni247
 Richard45
 Silas45
 Turner, William4, 141
 Turpin, Joseph.....237, 249
 Tweedy, John.....370
 William527
 Tyler, Ebenezer173
 William44
 Updike, Daniel, attorney general..3, 48
 John173, 537
 Upham, Rev. Edward386
 Usher, Allen.....248
 Hezekiah204
 Valuation of the property of the col-
 ony, in 1767.....576
 Van Gilst, James, naturalized.....519
 Varse, Isaac, Jr.141
 John247
 Vaudrenil, Marquis, letter to155
 Vaughan, Christopher, Jr.....44
 Robert, Jr.....44
 Samuel141
 Vernon, Thomas174
 Very, James202
 Vessels, act levying duties on.....361
 Vice admiralty, court of104

- Vice admiralty, court of, Col. John Andrews recommended as judge of.....107
 act relative to court of.....262
 Vinal, Rev. Mr.....532
 Vincent, Caleb.....248
 Vincent, William.....141
 Virginia, resolutions of, in 1765; note on.....452
 relative to the imposing of taxes in 1769.....603
 action of the General Assembly on, 604
 letter from the House of Burgesses of.....586
 Wade, Dudley.....247
 Wait, William.....45
 Waldron, John.....524, 544, 522
 Wall, Major Daniel, letter to Gov. Hopkins.....166
 court of inquiry on.....176
 dismissed from the service.....219
 Henry.....252, 305
 Samuel.....246
 William.....305
 Walling, Jacob.....247
 Jeremiah.....45
 John.....45
 John, Jr.....247
 Walton, John, Jr.....210, 221
 Wanton, Benjamin.....173
 Gideon.....47, 205, 249, 488, 542
 correspondence with John Robinson and others, relative to riots in Newport.....453, 455
 John.....395, 488, 522
 John, son of Gideon.....43, 162, 435
 sheriff.....283
 John G.....385
 Joseph, Jr.....3, 47
 lieutenant colonel.....78, 143, 205, 249, 282
 suit against.....483
 Deputy Governor.....522
 letters, to Earl of Hillsborough.....584
 Joseph, proclamation relative to the destruction of the sloop Liberty.....595
 Joseph, son of Gideon.....544
 William, son of Joseph.....246
 War, committee of.....49, 146
 money expended by.....59
 to procure arms and ammunition.....80
 report of expenditures by.....91, 189
 Ward, Henry, 162, 239, 399, 451, 462, 482
 elected secretary.....260, 283, 524
 John.....44
 Nehemiah.....202
 Richard, Jr.....202
 Ward, Samuel.....4, 47, 181, 189
 is sued by Governor Hopkins for defamation.....68
 commissioner at Hartford.....121
 report of the convention at Hartford.....123
 chief justice.....283
 Ward, Samuel, Governor.....313, 488, 580
 letters to General Amherst, 318, 319, 398, 343
 to Joseph Harrison.....324
 to Earl of Egremont.....333
 letters to the Earl of Halifax.....434
 letter to General Gage.....499
 letter to Capt. Antrobus, 444, 446, 485
 letters to Joseph Sherwood, 434, 474, 513
 " to Secretary Conway, 472, 498
 " to commissioners of trade, 444, 475, 515
 " to J. Robinson.....454, 455
 " to Capt. Leslie, of His Majesty's ship Cygnet.....456
 " to Augustus Johnston, relative to stamps.....478
 " to commissioners of the treasury.....478, 512
 " to the Earl of Shelburne.....510
 history of political controversy with Governor Hopkins, 548 to 554
 Thomas, secretary.....3, 48, 144, 216
 decease of.....260
 Wardwell, Stephen.....46
 Warner, John.....396
 John, Jr.....143, 205
 Oliver.....43
 Thomas.....44
 Warren, Moses.....185, 241, 280, 301
 Waterman, Abraham.....45
 Andrew.....307
 Benoni.....4, 24, 145, 207, 251
 Benjamin, Jr.....205
 Christopher.....5
 Gideon.....290
 James.....46
 John.....206, 257, 290, 523
 John, Jr.....391, 542
 Resolved.....108
 Zuriel.....248
 Watson, Elisha.....141, 203
 Jeffrey.....143, 181
 Jeffrey, Jr.....489
 John.....204
 John, 3d.....203
 Samuel, Jr.....185
 Samuel, of Exeter.....241
 Weatherby, Samuel.....185
 Weatherhead, Jeremiah.....203
 Weaver, Benjamin.....45
 Clement, son of John.....44

- Weaver, Daniel45
 James246
 Peleg247
 Thomas202
 William46, 142
 Webb, Major General Daniel, 37, 51,
 52, 70, 79, 82, 86, 99, 109
 letter to Governor Greene71, 74
 marches to the relief of Fort
 William Henry84
 John248
 Webster, John144
 Weeden, Benjamin45
 Caleb248
 John141, 543
 Jonathan204
 Weeks, Richard204
 Weight, George46
 John204
 Samuel, 8d248
 William203
 Wells, Caleb204
 Edward321, 523, 543
 Edward, Jr.144, 177
 John283, 433
 Joshua204
 Matthew142
 Nathaniel204
 Thomas141
 Thomas, Jr.582
 Welsh, Henry142
 Wendt, Jan de, Governor of St.
 Eustatia; letter from73
 West, Abner134, 185, 241
 Francis204
 John140
 Joseph140
 William249, 489, 543
 William, of Scituate282
 William, of Newport140
 William, of Smithfield141
 Westerly, act for dividing town of.31
 Westcott, Arthur246
 Earl247
 Stukely141
 Weybosset Bridge carried away by
 a high tide294
 lottery for building294
 Wheatley, Robert43
 Wheaton, Comfort44
 John6, 20, 22
 Samuel203
 William44, 490
 Wheelock, Daniel45
 Paul247
 Whipple, Benjamin141, 523
 Benajah247
 David4
 Eleazer44
 Ezra45
 Whipple, Israel, Jr.142
 Jeremiah48, 102, 144, 206, 283
 Joseph44
 Joseph, of Smithfield203
 Moses142
 Stephen523
 Whittaker, Daniel203
 White, Christopher46
 White, Samuel442
 Whitford, Joshua248
 Whiting, Amos26
 Ebenezer135, 218
 John26, 134, 135, 241, 272
 wounded at Lake George165
 elected colonel280, 287, 316
 Major218
 Whitman, Benjamin45
 George315
 Jacob356, 437
 Noah46
 Wickes, Thomas249, 522, 580
 Wickam, Benjamin2, 24, 47, 143
 Thomas, Jr.202
 Wigner, Charles Anthony43
 Norbert, Jr.246
 Wightman, John, son of James141
 James249, 251, 257
 George251
 George, Jr.283
 Jacob396
 Wilbore, Wilbur, Aaron223
 Abner247
 Isaac, Jr.26
 Jonathan44
 William48
 Willis, William44
 Williams, Coon44
 Christopher204
 Henry247
 Silas249
 Wilkinson, Ahab141
 Daniel314, 523
 Jacob247
 Wilcock, John142
 William, Jr.142
 Wilcox, Edward203
 George46
 Ishmael248, 301
 Jeffrey241, 301
 Jeof., Jr.26
 Job248
 John543
 Robert248
 Stephen, Jr.44
 Thomas432
 Willett, Francis205, 249
 Wilmarth, Timothy144, 282
 Wilson, John283
 Wing, Daniel203
 Jabez203

| | | | |
|---------------------------|---------------|--------------------------|----------|
| Winalow, General | 87 | Woodman, Constant..... | 204 |
| Winsor, Abraham..... | 307, 524 | Woodworth, Elihu | 523 |
| Charles..... | 203 | Woodel, William, Jr..... | 46 |
| Joseph | 177, 206, 314 | York, Stanton | 142 |
| Samuel..... | 385, 523 | Young, Lieut. Col. | 84 |
| Witter, Joseph, Jr. | 204 | Gideon, Jr..... | 202 |
| Wolcott, William | 139 | Robert | 545 |
| Wolfe, General James..... | 462 | Yorke, John | 353, 369 |
| Wood, Peleg... .. | 46 | | |
| Wood, William, Jr. | 44 | | |

